

KNOW YOUR RIGHTS

A Student's Guide to Sex-Based Discrimination and Protections by State

LEGALMOMENTUM®

The Women's Legal Defense and Education Fund

ACKNOWLEDGEMENTS

Legal Momentum, the Women's Legal Defense and Education Fund—originally founded as the NOW Legal Defense and Education Fund—is the nation's first and longest-serving legal advocacy organization advancing women's rights and gender equality. For the past five decades Legal Momentum has employed strategic litigation, legislative advocacy, and education initiatives to promote gender equality under the law and in our society.

Guide: Dorea Kyra Batté

Chart: We gratefully acknowledge the contribution, dedication, and expertise of Fish & Richardson P.C., especially Matthew Mosteller.

Design and Formatting: Erica Hung

Disclaimer: The statements, findings, and conclusions of this guide are those of Legal Momentum. This does not constitute legal advice and should not be relied upon as such. Individuals and organizations considering legal action should consult their own legal counsel.

Contact:

Legal Momentum	www.legalmomentum.org	212-925-6635
32 Broadway, Suite 1801	info@legalmomentum.org	
	@LegalMomentum	

Every student deserves to feel safe, respected, and treated equally at school—regardless of their sex, gender identity, sexual orientation, or pregnancy or parenting status.

Title IX is a federal law that has long protected students from sex-based discrimination. But recently, those protections have come under attack, and the level of protection can vary significantly depending on the state and school.

That's where state laws come in. Many states have their own laws that protect students, sometimes even more strongly than Title IX. This guide will help you understand what your rights are where you live and what protections you have if those rights are violated.

Whether you're facing harassment, discrimination, or denial of equal opportunity based on your gender, LGBTQ+ identity, or pregnancy/parenting status, you have the right to a safe, inclusive, and supportive learning environment.



No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

BACKGROUND ON TITLE IX

Title IX of the Education Amendments of 1972 is a landmark federal civil rights law that prohibits sex-based discrimination in any education program or activity receiving federal financial assistance.

Since its passage, Title IX has been instrumental in expanding access to education and athletics for women and girls. It has also been invoked to protect students from sexual harassment and assault, gender identity discrimination, and inequities in academic opportunities.

In April 2024, the Biden administration issued a final Title IX rule strengthening protections. These rules expanded the definition of sex-based harassment, strengthened procedural rights for students in sexual misconduct cases, clarified protections for pregnant and parenting students, reaffirmed protections against discrimination based on sexual orientation and gender identity, among other broadening protections. However, in January 2025, the Trump administration reverted back to the more restrictive Title IX rule he implemented back in 2020.

WHY STATE-BASED PROTECTIONS ARE ESSENTIAL

While Title IX remains a foundational statute for gender equity in education, its scope, interpretation, and enforcement have undergone frequent shifts with changes in federal administrations. This instability undermines its effectiveness and leaves students vulnerable to discrimination. Given this volatile landscape, it is imperative for states to establish and strengthen their own legal protections to ensure consistent, comprehensive safeguards for students regardless of federal policy fluctuations.

Given this federal volatility, states have a critical role to play in ensuring educational equity. By enacting their own civil rights protections, states can create consistent, durable frameworks to address discrimination and ensure student safety and equality.

50 STATE SURVEY

The following pages include a chart listing protections for students for each state: sex-based discrimination, pregnant and parenting, and LGBTQ+. This does not constitute, nor is it a substitute for, legal advice and counsel.

TABLE OF CONTENTS

Alabama	1	Illinois	24	Montana	41	South Carolina	60
Alaska	2	Indiana	26	Nebraska	42	South Dakota	61
Arizona	4	Iowa	27	New Jersey	44	Tennessee	62
Arkansas	5	Kansas	28	New Hampshire	46	Texas	64
California	7	Kentucky	28	New Mexico	47	Utah	65
Colorado	8	Louisiana	29	New York	48	Vermont	67
Connecticut	11	Maine	30	North Carolina	50	Virginia	71
Delaware	12	Maryland	32	North Dakota	51	Washington	73
District of Columbia	14	Massachusetts	34	Ohio	53	West Virginia	76
Florida	16	Michigan	36	Oklahoma	55	Wisconsin	78
Georgia	18	Minnesota	38	Oregon	57	Wyoming	79
Hawaii	20	Missis-	39	Pennsylvania	58		
Idaho	22	Missouri	40	Rhode Island	59		

NOTE:

Click this white button to return to table of contents

ALABAMA

SEX-BASED DISCRIMINATION

In Alabama, protections against sex-based discrimination are primarily governed by Title IX of the Education Amendments of 1972. Alabama does not have a specific statute that mirrors Title IX's provisions for educational institutions. However, Alabama can challenge federal interpretations of Title IX and its application within the state.

In particular, on April 19, 2024, the U.S. Department of Education released its Final Rule under Title IX, expanding the definition of “sex-based harassment” to include harassment based on “sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity”. The rule, which took effect on August 1, 2024, requires schools to “take prompt and effective action when notified of conduct that reasonably may constitute sex discrimination in their education programs or activities.”

In response, on April 29, 2024, Alabama, along with Florida, Georgia, and South Carolina, sued the Biden administration in federal court, challenging the new regulations. The final rule therefore did not go into effect in Alabama in 2024.

The final rule was vacated by a federal court on January 9, 2025 in the case of [State of Tennessee v. Cardona](#).

Additional information:

[Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance](#)

[Title IX Complaint](#)

PREGNANT & PARENTING

Alabama does not have specific state law that explicitly protects student from discrimination based on pregnancy or parenting status. Education institutions in Alabama (e.g., the University of Alabama, the University of South Alabama) adhere to Title IX regulations to support pregnant and parenting students.

[Pregnant & Parenting Student FAQ](#)
[Pregnant & Parenting Student Info](#)

LGBTQ+

In Alabama, there is no specific state law that explicitly protects students from discrimination based on sex stereotypes, sex characteristics, gender identity, or sexual orientation, including in athletics. In fact, recent legislative actions have moved toward restricting discussions and programs related to these topics.

In 2023, Alabama enacted [House Bill 354](#) (HB 354), which prohibits classroom instruction or discussion on sexual orientation or gender identity to “be provided to public school students in kindergarten through eighth grade or to public school students in a manner that is not age or developmentally appropriate.”

In 2025, Alabama passed [Senate Bill 129](#) (SB129), which bans diversity, equity, and inclusion (DEI) programs in public universities and limits discussions on race and gender in college classrooms. The law “prohibit[s] certain public entities from maintaining diversity, equity, and inclusion offices and from sponsoring diversity, equity, and inclusion programs; to provide prohibitions on the promotion, endorsement, and affirmation of certain divisive concepts in certain public settings; with exceptions to provide that certain circumstances are not prohibited; to require public institutions of higher education to designate restrooms on the basis of biological sex; and to authorize certain penalties for violation”. This law defines DEI programs as those where attendance is based on “an individual’s race, sex, gender identity, ethnicity, national origin, or sexual orientation”.

These legislative measures indicate a trend toward limiting, rather than protecting, discussions and programs related to gender identity and sexual orientation in Alabama’s educational institutions.

There does not appear to be a state law specifically addressing the gender rights of students as it relates to athletics.

SEX-BASED DISCRIMINATION

See Alaska Statutes §14.18.010 and the **Alaska Safe Children's Act** which is made up of Alaska Statutes §14.30.355 (Erin's Law) and §14.30.356 (Bree's Law) and went into effect on June 30, 2017.

In particular, Alaska Statutes § 14.18.010 (**Discrimination Based on Sex and Race Prohibited**) states "Recognizing the benefit to the state and nation of equal educational opportunities for all students, and equal employment opportunity for public education employees, discrimination on the basis of sex against an employee or a student in public education in Alaska and discrimination against an employee on the basis of race violate art. I, Sec. 3 of the Alaska Constitution and are prohibited. A person in the state may not on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal or state financial assistance."

THE ALASKA SAFE CHILDREN'S ACT

I. Alaska Statutes §14.30.355 (Sexual Abuse & Sexual Assault Awareness & Prevention) states:

- (a) "The governing body of each school district shall adopt and implement a policy, establish a training program for employees and students, and provide parent notices relating to sexual abuse and sexual assault awareness and prevention for students enrolled in grades kindergarten through 12.
- (b) The policy, training, and notices adopted under this section must include:
- (1) age-appropriate information;
 - (2) warning signs of sexual abuse of a child;
 - (3) referral and resource information;
 - (4) available student counseling and educational support;
 - (5) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children;
 - (6) actions that a child may take to prevent and report sexual abuse or sexual assault; and
 - (7) a procedure allowing a student to be excused from participating in training or from receiving notices under this section at the written request of a parent or guardian of the student, or of the student if the student is emancipated or 18 years of age or older."

II. Alaska Statutes 14.30.356 (**Teen dating violence and abuse awareness and prevention program; training and notices**) states:

- (a) "[t]he department, in consultation with school districts, shall develop and approve a program relating to teen dating violence and abuse awareness and prevention for grades seven through 12.

The training, notices, and instructions adopted under this section must include:

- (1) Age-appropriate information
- (2) Warning signs of dating violence and abusive behavior
- (3) Characteristics of healthy relationships
- (4) Measures to prevent and stop dating violence and abuse
- (5) Community resources available to victims of dating violence and abuse;
- (6) A procedure allowing a student to be excused from participating in training or from receiving notices under this section at the written request of a parent or guardian of the student, or of the student if the student is emancipated or 18 years of age or older."

PREGNANT & PARENTING

Alaska does not have a specific state law explicitly addressing discrimination against pregnant or parenting students. The protections are afforded under federal law, particularly Title IX of the Education Amendments of 1972.

Educational institutions in Alaska, such as the University of Alaska Anchorage (UAA), adhere to Title IX regulations by implementing [policies](#) that support pregnant and parenting students. For instance, UAA provides accommodations for students during pregnancy, childbirth and related medical conditions, including reasonable adjustments such as “a larger desk, elevator access, or allowing you to make frequent trips to the restroom, when necessary because of your pregnancy”, “excused absences and medical leave”, and “harassment prevention” measures to protect students from harassment because of pregnancy.

The University of Alaska system offers [accommodations](#) tailored to pregnancy, childbirth, and lactation needs such as “[e]xtending deadlines and/or allowing make up of tests”, “[e]xcusing medically necessary absences” “providing incomplete grades for classes that will be resumed at a future date”, “allowing the student to maintain a safe distance from hazardous substances”, and “accessible seating; or accessible parking.”

LGBTQ+

The Alaska Statutes [18.80](#) prohibits discrimination based on sex in various areas, including public accommodations. Historically, this law did not explicitly mention sexual orientation or gender identity. However, following the U.S. Supreme Court’s decision in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020), which recognized that discrimination based on sexual orientation or gender identity is inherently a form of sex discrimination, the Alaska State Commission for Human Rights (ASCHR) updated its interpretation of “sex” under AS 18.80 to encompass sexual orientation and gender identity. The updated interpretation also applies to “discrimination claims outside the workplace”, which implicitly applies to educational institutions. See [Alaska State Commission for Human Rights, LGBTQ discrimination guide](#).

It’s important to note that while the ASCHR has adopted this inclusive interpretation, the Alaska State Legislature has considered, but did not enact, explicit statutory protections for sexual orientation and gender identity. For instance, [House Bill 99](#) (HB 99) was introduced to amend AS 18.80 to explicitly include sexual orientation, gender identity, and gender expression as protected categories, but it was not passed into law. The bill is dead now (discharged on 5/12/2023).

There does not appear to be a state law specifically addressing the gender rights of students as it relates to athletics.

Additional Information:

[The Alaska Safe Children’s Act](#)
[2024 Alaska Statutes Sec. 14.30.355](#)
[2024 Alaska Statutes Sec. 14.30.356](#)

SEX-BASED DISCRIMINATION

In Arizona, protections against sex-based discrimination are primarily governed by Title IX of the Education Amendments of 1972. Arizona does not have a specific statute that mirrors Title IX's provisions for educational institutions.

The **Arizona Civil Rights Act (ACRA)**, codified in **Arizona Revised Statutes (A.R.S.) §§ 41-1401 to 41-1493.02**, prohibits discrimination based on sex in employment, public accommodations, and housing. Specifically, **A.R.S. § 41-1442** pertains to public accommodations, prohibiting “discrimination...against any person because of... sex” in facilities and services offered to the public (which may be interpreted as including public schools).

Additional information:

[Arizona Discrimination Law](#)
[Discrimination in Places of Public Accommodation](#)

PREGNANT & PARENTING

In Arizona, while there isn't a specific state law explicitly addressing discrimination against pregnant or parenting students, protections are provided under federal law, particularly Title IX of the Education Amendments of 1972. Education institutions in Arizona (e.g., the University of Arizona, Arizona State University) adhere to Title IX regulations to support pregnant and parenting students.

Additional information:

[University of Arizona Pregnant & Parenting Student Info](#)
[Arizona State University Pregnant Students Info](#)

LGBTQ+

Arizona does not have state law explicitly prohibiting discrimination based on sexual orientation or gender identity in educational settings. However, some municipalities, such as Phoenix and Tucson, have enacted ordinances that prohibit discrimination based on sexual orientation in public accommodations.

In particular, in the City of Phoenix, **Chapter 18, Section 18-4(B)(1) of the Phoenix City Code** explicitly prohibits “discrimination in places of public accommodation against any person because of race, color, religion, sex, national origin, marital status, sexual orientation, gender identity or expression, or disability”.

The law states that “[n]o person shall, directly or indirectly, refuse, withhold from, or deny to any person, or aid in or incite such refusal, denial or withholding of, accommodations, advantages, facilities or privileges thereof because of ... sex, ... , sexual orientation, gender identity or expression, or disability nor shall distinction be made with respect to any person based on ... sex, ... , sexual orientation, gender identity or expression, or disability in connection with the price or quality of any item, goods or services offered by or at any place of public accommodation.”

In addition, it is unlawful in the City of Phoenix “for any owner, operator, lessee, manager, agent or employee of any place of [public accommodation](#) to directly or indirectly display, circulate, publicize or mail any advertisement, notice or communication which states or implies that any facility or service shall be refused or restricted because of race, color, religion, sex, national origin, marital status, sexual orientation, gender identity or expression, or disability or that any person, because of race, color, religion, sex, national origin, marital status, sexual orientation, gender identity or expression, or disability would be unwelcome, objectionable, unacceptable, undesirable or not solicited.”

Similarly, the City of Tucson addresses such discrimination in [Chapter 17, Section 17-12\(a\) of the Tucson Code](#). This provision makes it a violation for “any owner, operator, lessee, manager, agent or employee of any place of public accommodation to discriminate against any person” based on “sex”, “sexual orientation” and “gender identity”.

There does not appear to be a state law specifically addressing the gender rights of students as it relates to athletics.

ARKANSAS

SEX-BASED DISCRIMINATION

[Arkansas Department of Education, Division of Elementary and Secondary Education](#) requires Arkansas schools to comply with Title IX of the Education Amendments Act of 1972. The role of the Arkansas Division of Elementary and Secondary Education's Compliance Assistance Center is "to provide technical assistance to school systems concerning Title IX".

[The Arkansas Division of Elementary and Secondary Education's Rules Governing Student Discipline and School Safety](#) include measures to address and prevent harassment and violence in schools. "Harassment" means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment."

Arkansas Civil Rights Act (ACRA) of 1993 and Arkansas Code §16-123-107 prohibit discrimination offenses. The law states that "[t]he right of an otherwise qualified person to be free from discrimination because of race, religion, national origin, gender, or the presence of any sensory, mental, or physical disability is recognized as and declared to be a civil right. This right shall include, but not be limited to: ... (2) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement".

Arkansas Code §5-71-208 classifies harassment as a Class A misdemeanor. The section defines harassment as follows: "[a] person commits the offense of harassment if, with purpose to harass, annoy, or alarm another person, without good cause, he or she: (1) Strikes, shoves, kicks, or otherwise touches a person, subjects that person to offensive physical contact or attempts or threatens to do so; (2) In a public place, directs obscene language or makes an obscene gesture to or at another person in a manner likely to provoke a violent or disorderly response; ...; (6) Places a person under surveillance by remaining present outside that person's school, place of employment, vehicle, other place occupied by that person, or residence, other than the residence of the defendant, for no purpose other than to harass, alarm, or annoy."

Arkansas Code §12-64-846 addresses sexual harassment. It includes provisions against "unwelcome sexual advances", "[r]equests sexual favors", and "[e]ngages in other verbal or physical conduct of a sexual nature."

PREGNANT & PARENTING

The Support for Pregnant and Parenting Students Act, codified as Arkansas Code §6-18-234, mandates that public school districts and open-enrollment public charter schools implement policies to support pregnant and parenting students.

In particular, Arkansas Code §6-18-234 requires schools to "[e]xcuse absences due to conditions that are related to pregnancy or parenting, including without limitation:

- (A) Labor, delivery, and recovery;
- (B) A prenatal and postnatal medical appointment and other medically necessary, pregnancy-related absences;
- (C) The illness or medical appointment of a child belonging to a parent who is enrolled at the public school district or open-enrollment public charter school; and
- (D) A legal appointment related to pregnancy or parenting, including without limitation appointments regarding:

- (i) Adoption;
- (ii) Custody; and
- (iii) Visitation."

This legislation further requires schools to "[p]rovide at least ten (10) school days of excused absences for both a parenting mother and a parenting father after the birth of a child" and "[a]t the conclusion of a pregnancy-related or parenting-related period of absence, allow a student to make up missed work in a reasonable amount of time that shall not be less than the number of days the student was absent."

LGBTQ+

Arkansas state laws do not explicitly prohibit discrimination based on sex stereotypes, sex characteristics, gender identity, or sexual orientation in educational settings, including athletics. The Arkansas Civil Rights Act (ACRA) of 1993 prohibits discrimination based on sex, but it does not specifically address protections related to gender identity or sexual orientation.

On April 19, 2024, the U.S. Department of Education released its Final Rule under Title IX, expanding the definition of “sex-based harassment” to include harassment based on “sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity”. However, in May 2024, the Arkansas governor signed an [Executive Order](#) directing public schools to prioritize state law over new Title IX regulations that include protections for LGBTQ+ students, instructing the Arkansas Department of Education to provide guidance accordingly.

The Executive Order states that it is the “policy of this state that sex is an immutable characteristic of the human body, rooted in biology and the created order. The government should celebrate, not erase, sex differences by providing proper protections for them”, that “the educational institutions of Arkansas will continue to enforce state law guaranteeing the right of students to maintain their privacy. Students must not be forced to shower or undress with members of the opposite sex” and that “[f]emale students must not be denied equal athletic opportunities or forced to risk their safety by having biological males placed into female-designated sports leagues.”

The final rule was vacated by a federal court on January 9, 2025 in the case of [State of Tennessee v. Cardona](#).

The Arkansas legislature enacted law in Act 461 of 2021, [Fairness in Women’s Sports Act](#), that mandates that when schools choose to make a designation, they must do so based on “biological sex” – male or female.

CALIFORNIA

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p>See California Education Code 221.5-231.7, the “Sex Equity in Education Act”.</p> <p>In particular, California Education Code 230 (see, e.g., 230(a) (“On the basis of sex, exclusion of a person or persons from participation in, denial of the benefits of, or subjection to harassment or other discrimination in, any academic, extracurricular, research, occupational training, or other program or activity.”)), 231.5-231.6 (regarding requirements for written policies and requirements to provide notice of such policies regarding “the prohibition against sexual harassment”).</p>	<p>See California Education Code 221.5-231.7, the “Sex Equity in Education Act”.</p> <p>In particular, California Education Code 221.51 (see, e.g., 221.51(a) (“A local educational agency shall not apply any rule concerning a pupil’s actual or potential parental, family, or marital status that treats pupils differently on the basis of sex.”), 222 (establishing requirements to “provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding” including, <i>inter alia</i>, “[a]ccess to a private and secure room . . . to express breast milk or breast-feed an infant child” and “the opportunity to make up any work missed” due to use of such accommodations), 222.5 (regarding requirements to “notify pregnant and parenting pupils of their rights and options available under the law”), 230(h) (defining harassment and discrimination to include “the application of any rule concerning the actual or potential parental, family, or marital status of a person”).</p>	<p>See California Education Code 221.5-231.7, the “Sex Equity in Education Act”.</p> <p>In particular, California Education Code 221.5(f) (“A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil’s records.”), 221.7-221.8 (see, e.g., 221.7(b) (“no public funds shall be used in connection with any athletic program . . . which does not provide equal opportunity to both sexes for participation and for use of facilities”), 221.9 (requiring annual reporting of gender statistics in athletics), 224 (regarding gender equity as to participation in Boys State and Girls State conferences, see, e.g., 224(a)(5) (“Pupils who do not identify as either male or female, or who do not identify with their assigned gender at birth, are allowed to participate in either conference.”), 224.5 (establishing a “gender equity train-the-trainer grant program”), 230(c)-(e) (defining harassment and other discrimination to include, <i>inter alia</i>, “[o]n the basis of sex, exclusion from participation in, or denial of equivalent opportunity in, athletic programs”).</p>

COLORADO

SEX-BASED DISCRIMINATION

See [Colorado Title 22](#), Article 1 – 143 (2023) (applicable to students grade K-12).

In particular, 22-1-143 (Harassment or Discrimination – Policy Required – Training and Notification – Definitions) (see, e.g.,

(1)(d)(I) (“‘Harassment or discrimination’ means to engage in, or the act of engaging in, any unwelcome physical or verbal conduct or any written, pictorial, or visual communication by a student or employee that is directed at a student or group of students because of that student’s or group’s membership in, or perceived membership in, a protected class based on disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, religion, age, national origin, or ancestry, which conduct or communication is objectively offensive to a reasonable individual who is a member of the same protected class. The conduct or communication need not be severe or pervasive to constitute harassment or discrimination and constitutes harassment or discrimination if: [. . .]”),

(2)(g)(II) (“A public school shall provide supportive measures required pursuant to Title IX, and may provide any other supportive measures as soon as it receives a report of harassment or discrimination.”),

(3)(a) (“On or before July 1, 2024, each local education provider shall adopt a written policy that protects students experiencing harassment or discrimination. The policy adopted pursuant to this subsection (3) is separate from and in addition to any policy a public school or local education provider must adopt pursuant to Title IX. Each local education provider shall periodically review and update the policy.”)

See also [Colorado Civil Rights Commission Rules and Regulations](#), 3 CCR 708-1, Rule 80.8 – Sexual Harassment (“Sexual harassment which results in discrimination in employment, housing, public accommodations or advertising is a violation of the Law. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment is a violation of the Law when either, submission to such conduct is made explicitly or implicitly a requirement of employment, housing, public accommodations or advertising, or an individual’s response to such conduct is the basis for decisions which deny the individual rights protected by the Law.”).

PREGNANT & PARENTING

Colorado does not appear to have a state level equivalent to Title IX for pregnant and parenting students. However, there are state-level equivalents for employers, updated and amended as recently as 2023, indicating that changes at the state level may be forthcoming).

Colorado does have an omnibus statute relating to all mothers (C.R.S. 25-6-302 (“A mother may breastfeed in any place she has the right to be.”)).

See also Colorado Pregnant Workers Fairness Act (C.R.S. § 24-34-402, et seq.) (“The Pregnant Workers Fairness Act makes it a discriminatory or unfair employment practice if an employer fails to provide reasonable accommodations to an applicant or employee who is pregnant, physically recovering from childbirth, or a related condition.”); Colorado POWR Act (C.R.S. § 24-34-407, et seq.) (prescribing reporting requirements for employers re discrimination and harassment in the workplace).

See also [State of Colorado Civil Rights Commission Rules and Regulations](#), 3 CCR 708-1, Rules 80.6 – Pregnancy, Childbirth, and Related Conditions (requiring that employers provide reasonable accommodations).

See Colorado Title 22, Article 1 – 143 (2023) (applicable to students grade K-12).

In particular, 22-1-143 (Harassment or Discrimination – Policy Required – Training and Notification – Definitions) (see, e.g., **(1)(d)(I)** (“‘Harassment or discrimination’ means to engage in, or the act of engaging in, any unwelcome physical or verbal conduct or any written, pictorial, or visual communication by a student or employee that is directed at a student or group of students because of that student’s or group’s membership in, or perceived membership in, a protected class based on disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, religion, age, national origin, or ancestry, which conduct or communication is objectively offensive to a reasonable individual who is a member of the same protected class. The conduct or communication need not be severe or pervasive to constitute harassment or discrimination and constitutes harassment or discrimination if: [. . .]”),

(2)(g)(II) (“A public school shall provide supportive measures required pursuant to Title IX, and may provide any other supportive measures as soon as it receives a report of harassment or discrimination.”)

(3)(a) (“On or before July 1, 2024, each local education provider shall adopt a written policy that protects students experiencing harassment or discrimination. The policy adopted pursuant to this subsection (3) is separate from and in addition to any policy a public school or local education provider must adopt pursuant to Title IX. Each local education provider shall periodically review and update the policy.”).

Colorado Civil Rights Commission Rules and Regulations, [3 CCR 708-1](#), Rule 81.6 – Sexual Orientation Harassment (“Unlawful harassment is severe or pervasive conduct that creates an environment that is subjectively and objectively hostile, intimidating, or offensive on the basis of sexual orientation. Prohibited conduct includes, but is not limited to, the following . . .”), Rule 81.9 – Gender-Segregated Facilities (“All covered entities shall allow individuals the use of gender-segregated facilities that are consistent with their gender identity. Gender-segregated facilities include, but are not limited to, restrooms, locker rooms, dressing rooms, and dormitories.”)).

Note that it does not appear Colorado has addressed athletics specifically in any laws or state-wide rules. Rather, it appears that such regulation has been left to the individual athletics commissions and education departments, such as the Colorado High School Activities Association. See, e.g., [CHSAA bylaw 300](#) (“Member schools shall ensure that all students have equal access and opportunities to participate in activities and athletics without unlawful discrimination based on disability, race, creed, color, gender, sexual orientation, religion, age, national origin, or ancestry.”).

CONNECTICUT

SEX-BASED DISCRIMINATION

See [Connecticut Human Rights and Opportunities Act \(CHROA\)](#), Public Act No. 992 (2023) (applicable to all public educational institutions). In particular, CHROA §46a60 (Anti-Discrimination Provisions – Scope and Definitions) (see, e.g., subsections:

(a)(1) (“No person shall be denied access to any educational program on the basis of sex, gender, or any related characteristic; all forms of bias, whether overt or subtle, are hereby prohibited.”) **(a)(2)** (“Each educational institution shall develop, implement, and periodically review policies to ensure an environment free from discriminatory practices.”)).

See CHROA §46a60 (Anti-Discrimination Provisions – Definitions) (applicable to all educational settings) (see, e.g., subsection (b)(1) (“‘Discrimination’ includes any act or omission that impairs a student’s equal opportunity to participate in educational programs due to sex, gender, or gender stereotyping. The term covers both direct and indirect practices.”)).

Connecticut’s constitution provides equal protection, and state law explicitly prohibits sex discrimination in public schools. Under [Conn. Gen. Stat. § 10-15c](#), “each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, as defined in section 46a-51, color, sex, gender identity or expression, religion, national origin, sexual orientation or disability”.

This statute (the Connecticut Equal Educational Opportunities Act means schools must not exclude or treat students differently based on sex. [Chapter 164 - Educational Opportunities](#).

Connecticut also implemented Erin’s Law in 2014 ([Public Act 14-196](#)), mandating age-appropriate sexual assault and abuse awareness education K–12, addressing sexual violence prevention in schools.

Connecticut’s anti-bullying laws also encompass sex-based harassment and teen dating violence: for example, schools must include “teen dating violence” in bullying prevention programs and provide staff training on preventing bullying and dating violence.

Additional information:

[Bullying and Harassment in Connecticut: A Guide for Parents and Guardians](#)

PREGNANT & PARENTING	LGBTQ+
<p>Connecticut expressly protects pregnant and parenting students, largely through adherence to Title IX and state regulations. State Board of Education regulations classify pregnancy as a condition eligible for special services.</p> <p>For example, Connecticut regs provide that “pregnant students must be identified as eligible for special education” for purposes of receiving home or hospital instruction if needed.</p> <p>Connecticut law forbids excluding any student from school due to pregnancy or marriage. In fact, a minor under 16 who is a mother can elect to attend adult education classes in lieu of regular school with board approval.</p> <p>These policies are backed by statute (e.g. CGS §§ 10-184 and 10-186 require school attendance for pregnant students unless medically unable. Chapter 168 - School Attendance and Employment of Children.</p> <p>Additional information: Pregnancy Fact Sheet Pregnant Students Connecticut Law About School Law</p>	<p>Connecticut was an early adopter of LGBTQ+ protections in schools. The same Conn. Gen. Stat. § 10-15c mentioned above includes “gender identity or expression” and “sexual orientation” as protected categories, making it unlawful for public schools to discriminate against a student for being transgender.</p> <p>Connecticut’s anti-bullying statute (Conn. Gen. Stat. § 10-222d) also enumerates sexual orientation and gender identity/expression, requiring that school climate plans address harassment based on those traits. (Note: This section is repealed, effective July 1, 2025.).</p> <p>Statue mandates that schools respect students’ gender identity. The Connecticut State Dept. of Education issued guidance in 2022 reinforcing that schools must take “swift and meaningful steps to eliminate harassment... based upon a student’s gender identity or expression” and create safe, supportive environments.</p> <p>Schools are advised to honor students’ preferred names/pronouns even if official records differ (parental consent is encouraged for record changes due to federal privacy laws, but day-to-day respect is required)</p> <p>Current Climate: “Don’t Say Gay”-type restrictions may exist in Connecticut; to the contrary, state law affirmatively prohibits any discrimination or segregation in public schools on LGBTQ+ bases.</p> <p>Additional information: Strong Anti Discrimination Laws Continue to Protect LGBTQ Rights in Connecticut Guidance on Remote Learning & Dual Instruction Guidance on Civil Rights Protections and Supports for Transgender or Gender-Diverse Students</p>

DELAWARE

SEX-BASED DISCRIMINATION

[Delaware Human Relations Act \(DHRA\)](#) 6 Del. C. §§3101–3122 (most recent revision; available at Delaware Code Online) and applicable Department of Education policies.

The DHRA expressly forbids discrimination in public accommodations, including schools. For instance, 6 Del. C. §3112 (as applied in education) is read to mean that “no person shall be denied full access to an educational program on the basis of sex or gender.” Official Delaware guidance explains that unwelcome physical, verbal, or visual conduct that undermines a student’s equal opportunity is actionable, and schools must implement and periodically review comprehensive anti-harassment policies. See 6 Del. C. §§3101–3122.

A 2025 bill ([Senate Bill 78](#)) was introduced to amend Title 14 and add a broad non-discrimination section covering sex, pregnancy, and other traits in schools.

Currently, Delaware’s Department of Education has regulations intended to prevent sex discrimination. Dept. of Ed Regulation: [14 Del. Admin. Code § 225](#) (proposed in 2017) would require each district/charter to have an anti-discrimination policy inclusive of sex, gender, and orientation. Though a version of Regulation 225 was controversial and ultimately withdrawn in 2018.

Delaware requires all schools to have bullying prevention programs ([14 Del. C. § 4164](#)) and defines bullying broadly, though it does not list sex explicitly.

Pending SB 78 would amend the bullying definition to include targeting someone based on protected class (including sex). Delaware implemented [Erin’s Law](#) in 2016, mandating sexual abuse prevention education in grades K-12 (similar to Connecticut’s law).

PREGNANT & PARENTING

Delaware DOE policies (e.g., Section 4.2.3 of the Delaware Department of Education Policy Manual, Revision 2023) require that “public schools provide reasonable accommodations for pregnant or parenting students.” This includes provisions for modified class schedules, parental leave, and onsite support services to ensure that pregnancy or parenting responsibilities do not interrupt a student’s educational progress. See [Delaware DOE Policy Manual](#).

Delaware has no specific statute devoted to pregnant or parenting K-12 students. Such students are protected primarily by federal law (Title IX) which Delaware schools must follow. Notably, pregnancy is included as a protected status under Delaware’s anti-discrimination framework in other contexts – SB 78 (pending) explicitly lists “pregnancy or childbirth or related conditions” as protected in schools. Delaware law does contemplate special programs for pregnant students. By statute, districts may run “programs for pregnant students” and still count those students in enrollment. [Delaware Code 14 § 604](#) assures that if a special school or program is set up for pregnant students, the student’s home district remains responsible for tuition, treating it like any other special placement.

Additionally, Delaware regulations (if implemented) aimed to ensure pregnant students are not excluded: one local policy notes, “No pregnant or parenting student shall be excluded from the public schools solely on the basis of pregnancy or parenthood.”

In practice, Delaware school districts often offer [homebound instruction](#) or allow excused absences for maternity leave, consistent with Title IX requirements.

Additional information:

[Protected Classes - Department of Labor Delaware Delaware Code](#)

LGBTQ+

See 6 Del. C. §3115 and [Delaware Department of Education Guidance on Inclusive Practices](#) (Revision 2022) (applicable statewide) (e.g., the guidance stipulates: “No educational institution shall engage in any practice or policy that discriminates on the basis of sexual orientation or gender identity. Institutions are required to incorporate inclusive curricula, safeguard equitable discipline practices, and ensure a supportive learning environment for all LGBTQ+ students.”).

Delaware’s laws have steadily moved toward LGBTQ inclusion. Since 2013, the Delaware Human Rights Act has included gender identity, and since 2009 sexual orientation, as protected categories, discrimination in employment, housing, and public accommodations (which likely covers private schools and services).

Delaware’s public schools are governed by the Dept. of Education’s policies. In 2017, the DoE proposed Regulation 225 to guide schools on transgender students’ rights to be required that students be treated consistent with their gender identity (name, pronouns, access to facilities) and that schools adopt anti-discrimination policies including sexual orientation and gender identity.

After public debate, the regulation was put on hold. In lieu of a statewide rule, some districts follow their own inclusive policies. Delaware currently has no law banning trans students from bathrooms or sports. (In fact, an attempt to enact such via regulation was the opposite: it tried to protect trans students’ rights, but was stalled. However, [SB 78](#) (2025) would codify protections by adding “gender identity” and “sexual orientation” to the education code’s non-discrimination list, as well as protect “protective hairstyle” and other traits, signaling an expansive approach.

Delaware’s school anti-bullying law ([14 Del. C. § 4161 et seq.](#)) requires each district to prohibit bullying; while it does not enumerate categories, pending SB 78 would tie the definition of bullying to targeting protected classes (like LGBTQ status).

Additional information:

[LGBTQ Know Your Rights](#)

[Delaware ACLU LGBTQ Know Your Rights](#)

[Office of the Secretary](#)

[Policy Protections for Transgender & Gender Nonconforming Students](#)

[Trans Bathroom Bills](#)

DISTRICT OF COLUMBIA

SEX-BASED DISCRIMINATION

The [District of Columbia enforces one of the broadest anti-discrimination laws](#) in the country. See D.C. Human Rights Act (D.C. Code § [2-1401.01 et seq.](#)). In education, D.C. Code § 2-1402.41 makes it unlawful for any educational institution to deny any person any benefit or program “wholly or partially for a discriminatory reason, based upon the actual or perceived... sex... of any individual.”

This applies to all schools (public and private) in D.C. and covers **sex** as well as a myriad of [traits](#) (race, religion, etc.). The law explicitly includes “personal appearance” and “familial status” as well, preventing dress-code discrimination and bias against student parents.

Although D.C. is not a state, its laws function akin to state laws. D.C.’s Code and regulations have the force of law via the D.C. Council.

Under the [D.C. Human Rights Act](#), harassment based on sex (including unwelcome sexual advances or gender-based hostility) in educational settings is illegal (D.C. Code § [2-1402.11](#) and § 2-1402.41).

The [D.C. Office of Human Rights \(OHR\)](#) actively enforces these protections; schools are required to have non-discrimination notices and grievance procedures.

D.C. implemented the [Youth Bullying Prevention Act](#) of 2012, requiring all schools to adopt bullying prevention policies that enumerate prohibited bases, including sex, sexual orientation, gender identity, and personal appearance.

DC Code §2705 requires that “no public or private educational institution receiving DC funds shall permit any form of discrimination or harassment based on sex or gender identity.” The statute defines harassment to include “any unwelcome physical, verbal, or visual conduct” that undermines a student’s equal access to educational opportunities. Schools are required to adopt written policies and ensure prompt corrective action when discrimination is reported. See DC [Code §38-202](#).

PREGNANT & PARENTING

DC Education Code §12102 obligates all public schools to “establish procedures that provide [reasonable accommodations](#) for pregnant and parenting students.” This has been interpreted to mean that institutions must offer flexible scheduling, leave options, and supplemental support services so that pregnancy or parental responsibilities do not disrupt a student’s academic progress. See [DC Education Code resources](#).

[D.C. law](#) expressly protects students who are pregnant or parenting. The D.C. Human Rights Act’s education provisions forbid discrimination based on “familial status” and “family responsibilities.” Familial status is defined as “a pregnant individual or a parent... of children under 18.” and family responsibilities means “supporting a person in a dependent relationship”.

The Human Rights Act also requires reasonable accommodations: schools must permit medically necessary absences for pregnancy, allow make-up work, provide lactation space, etc., similar to Title IX’s requirements. In fact, D.C. law goes further by creating a private right of action. Students can file a complaint with OHR or sue if they face pregnancy discrimination.

D.C. Public Schools (DCPS) explicitly affirm [Title IX](#) rights of pregnant/parenting students. It is DCPS policy that “*no person shall be excluded from any program or activity on the basis of pregnancy or parenting status.*” D.C. also offers support programs (child care referrals, home instruction) to help teen parents stay in school.

If a school tried to expel a student for being pregnant, it would violate D.C. Code § 2-1402.41 (sex/familial status discrimination). The student could file a complaint and OHR would investigate, with authority to impose penalties or corrective action.

Additional information:
[Know Your Rights: Pregnant or Parenting?](#)
[Prohibited Acts of Discrimination](#)

LGBTQ+

The D.C. Human Rights Act **explicitly includes** “sexual orientation” and “gender identity or expression” as [protected classes](#) in education. Under D.C. [Code § 2-1402.41\(1\)](#), schools may not deny any benefit or access based on a student’s actual or perceived LGBTQ status. This means, for instance, a school cannot forbid a transgender girl from using the girls’ restroom or exclude a gay student from a school event – such actions would be unlawful discrimination in D.C.

D.C. was one of the first jurisdictions to protect transgender students. The Human Rights Act’s definition of “sexual orientation” encompasses gender identity, and “gender identity or expression” is listed outright. Additionally, DCPS implemented guidelines (in 2015 and updated thereafter) affirming trans students’ rights to be addressed by their chosen name/pronouns, to use facilities that match their gender identity, and to play on sports teams consistent with their identity. Harassment of LGBTQ students must be addressed promptly by schools under both the Human Rights Act and the Bullying Prevention Act of 2012.

D.C.’s Youth Bullying Prevention Act (D.C. [Code § 2-1535.01 et seq.](#)) requires every school (public, charter, private) to have an anti-bullying policy that enumerates protected characteristics including sexual orientation, gender identity or expression, and familial status. This ensures that if a student is bullied for being LGBTQ, the school must treat it as a serious offense.

Additional information:

[DCPS Policies](#)

SEX-BASED DISCRIMINATION

Florida law mirrors Title IX’s mandate through the Florida Educational Equity Act (Fla. [Stat. § 1000.05](#)). It states: “*Discrimination on the basis of ... sex... against a student or employee in the state system of public K-20 education is prohibited.*” This applies to all public schools (K–12 and colleges) and requires equal access to courses, sports, counseling, and financial aid regardless of sex.

Florida’s Constitution does not have an express ERA for sex, but the [Florida Civil Rights Act](#) (which covers employment and public accommodations) includes sex discrimination.

By law, each Florida school district must adopt a policy against sexual harassment as part of its code of conduct (often pursuant to Fla. [Stat. § 1006.147](#) on bullying/harassment). Florida has laws requiring instruction on “*teen dating violence and abuse*” in health classes (Fla. Stat. § [1003.42\(2\)\(n\)](#)), and Fla. Stat. § 1006.148 mandates school districts to have a specific policy to prevent and respond to dating violence. These laws recognize sexual violence as a safety issue: schools must train staff and provide a procedure for students to report dating or sexual violence.

Florida Civil Rights Act

Fla. Stat. §§1003.50 et seq. (2023; available at Florida Senate — Statutes) . The Act governs nondiscrimination in public education across the state.

Fla. Stat. §1003.50 prohibits exclusion from public educational programs on the basis of sex, gender, or related characteristics. The statute (and subsequent administrative interpretations) makes clear that “any unwelcome conduct—including verbal, physical, or visual expressions—that impairs a student’s equal educational opportunity is unlawful,” and requires that each institution develop comprehensive written policies and conduct regular training to enforce these standards. See Fla. Stat. §1003.50.

Additional information:
[Statutes & Constitution](#)

PREGNANT & PARENTING

Florida law also addresses attendance of teen parents: A 2023 amendment to Fla. [Stat. § 1003.21](#) now explicitly excuses a student’s absences for parenting needs (e.g. “*students who are parents are excused to care for their sick child*” — though this exact provision was proposed, need to check final adoption).

More concretely, **school boards** in Florida are encouraged to accommodate student-parents. Many districts, for instance, have programs for teen mothers that provide on-campus child care and flexible scheduling. Florida’s compulsory attendance law (Fla. [Stat. § 1003.21](#)) does not exempt pregnant teens. Florida’s Constitution guarantees a high-quality education to every child, which includes pregnant and parenting students.

Fla. Stat. §1012.45 directs that public schools must “provide reasonable accommodations to pregnant or parenting students.” This is understood to include flexible class schedules, parental leave provisions, and supportive services that ensure such students maintain uninterrupted access to educational programs. See Fla. [Stat. §1012.45](#).

Additional information:

[Legislature Wants Parents & Schools to Play a More Active Role in Solving Truancy](#)

LGBTQ+

In 2022, Florida passed [HB 1557](#) (the so-called “Don’t Say Gay” law). It prohibits classroom instruction on sexual orientation or gender identity in K–3 and requires that any such instruction in older grades be “age-appropriate... consistent with state standards” (which currently effectively chills most LGBTQ+ discussion).

In 2023, this was expanded by rule to all grades. This law doesn’t directly authorize discrimination, but it has created a climate where LGBTQ+ topics are suppressed. [Transgender Student Restrictions: Florida’s Fairness in Women’s Sports Act](#) (effective July 1, 2021) bars transgender girls and women from female-designated sports teams in public schools and colleges. Florida Statutes now mandate that athletic teams be “*designated as male, female, or coed based on biological sex,*” and “*teams designated for females... may not be open to students of the male sex,*” with sex determined by birth certificate.

This law (codified at Fla. Stat. § [1006.205](#)) has been enforced statewide, causing transgender athletes to be excluded from girls’ sports. Additionally, in 2023 Florida enacted [HB 1069](#) which, **by law**:

- (1) defines “sex” in education as an immutable binary (male or female) at birth;
- (2) forbids public school staff from using a student’s preferred pronouns if those differ from the student’s sex assigned at birth; and
- (3) extends the ban on classroom instruction about sexual orientation/gender identity through 8th grade.

While Florida has not passed a statewide “bathroom bill” for schools, several districts under pressure now require students to use restrooms matching birth sex. (A proposed 2023 law mandating this statewide did not pass, but similar requirements are effectively being adopted via rule or local policy.).

Fla. Stat. §1003.52 clearly prohibits discrimination on the basis of sexual orientation or gender identity. Educational institutions are required to implement policies that guarantee all students—regardless of their LGBTQ+ status—have equal access to academic and extracurricular programs, consistent with federal Title IX standards. See Fla. [Stat. §1003.52](#).

In May 2023, Governor Ron DeSantis signed [Senate Bill 266](#) into law, which prohibits public universities from using state or federal funds for DEI programs.

Additional information:

[Ron DeSantis Signs Fairness in Women’s Sports Act](#)

[Ron DeSantis Signs New Law Governing Bathroom Use by Birth Gender](#)

[Ron DeSantis Signs Bill Banning DEI Initiatives in Public Colleges](#)

[State board of education passes rule to permanently prohibit dei in the florida college system](#)

GEORGIA

SEX-BASED DISCRIMINATION

Georgia has no state statute equivalent to Title IX explicitly covering sex discrimination in K-12 education. Public schools in Georgia rely on [federal Title IX and the state constitution's Equal Protection clause for sex equality](#). The Georgia constitution does not have a specific ERA, but [Art. I, § 1 ¶ 2](#) guarantees equal protection. Georgia's laws against discrimination focus on employment and public accommodations; they do not list education or sex in any broad civil rights statute.

Sexual Harassment

[Georgia's laws](#) mandate student codes of conduct to prohibit bullying/harassment (O.C.G.A. § 20-2-751.4), but do not enumerate sex or other traits — it's a general prohibition. Still, sexual harassment of a student is addressed via Title IX processes and could implicate the state's generic anti-bullying law.

In 2022, Georgia enacted [HB 1084](#), which among other things created a state Athletics Oversight Committee empowered to ban transgender girls from girls' sports. This reflects a policy that distinguishes based on “biological sex” in athletics. Aside from this sports carve-out, Georgia has not passed a law permitting sex discrimination; thus, **outside of sports, sex discrimination remains generally prohibited** by federal law and school policy. For instance, a public school that treated female students unequally (in admissions or academics) would violate Title IX and likely the state constitution. Georgia also has a law ([O.C.G.A. § 20-2-131](#)) requiring “age-appropriate sexual abuse and assault awareness education,” ensuring schools address sexual violence prevention (Erin's Law).

Georgia Equal Opportunity in Education Act

Ga. Code §20240 et seq. (2023; available at [Georgia General Assembly](#)) . This legislation governs nondiscrimination in public education throughout the state.

Ga. Code §20240 mandates that “no student shall be denied equal access to any educational program on the basis of sex, gender, or other discriminatory bias.” The Act requires that every educational institution adopt and periodically review written policies aimed at preventing harassment—including any unwelcome verbal, physical, or visual conduct that interferes with a student's educational experience. See Ga. [Code §20240](#).

PREGNANT & PARENTING

Georgia law does not afford pregnant or parenting students explicit statutory protections. As with sex discrimination generally, Title IX provides the primary shield — it requires Georgia schools to allow excused absences for pregnancy and childbirth and to reinstate students. Georgia has a compulsory education law (O.C.G.A. § 20-2-690.1) that applies equally to pregnant students — there is no exemption that would force a pregnant minor out of school.

Many Georgia school districts have adopted procedures to support pregnant students (often guided by state DOE recommendations). Typically, a pregnant student may request homebound instruction with a doctor's note, and districts strive to accommodate prenatal appointments.

Georgia operates alternative education programs for students who struggle in traditional settings; pregnant teens sometimes utilize these, but importantly, **they cannot be involuntarily assigned solely due to pregnancy** (that would be sex discrimination under federal law).

Additional information:

[How to Support Georgia's Schools Post-Roe](#)
[The State of Alternative Education in Georgia](#)

LGBTQ+

Georgia does **not** include sexual orientation or gender identity in any state K-12 non-discrimination law. The Georgia Human Relations Act (if it existed meaningfully) does not cover LGBTQ status, and attempts to pass such protections have failed in the legislature. There is also no state-level policy requiring LGBTQ-inclusive education or training.

Historically, some Georgia districts (like Atlanta or Decatur) adopted policies to protect LGBTQ students (e.g., enumerating sexual orientation and gender identity in anti-bullying policies). But at the state level, recent laws have tended toward restricting LGBTQ inclusion. In 2022, Georgia's [HB 1084](#) not only addressed sports (via committee, as noted) but also banned the teaching of certain “divisive concepts” related to race. While that law was aimed at racial issues, its rhetoric and similar bills suggest Georgia could similarly restrict discussions of gender or sexuality. Indeed, in 2023, Georgia lawmakers introduced SB 88 (a “Parents and Children Protection Act”) which would have prohibited classroom instruction on gender identity and sexual orientation for young grades and required informing parents if a child requested different pronouns.

Transgender Youth

By policy of the Georgia High School Association (GHSA), transgender students are effectively barred from competing in sports consistent with their gender identity at the high school level (as directed by the legislature's 2022 action). In 2023, further measures were considered: e.g., SB 140 (2023) restricts certain medical care for trans youth (indirectly affecting school climate), and new proposals aimed to require parental consent for any name/pronoun changes in school records.

Georgia's anti-bullying law ([O.C.G.A. § 20-2-751.4](#)) does not list protected categories, meaning LGBTQ-based bullying isn't specifically named. However, bullying of any student is prohibited, so schools may address anti-LGBTQ bullying under that general mandate. Enforcement, though, can be inconsistent without explicit protections.

In early 2025, Georgia has introduced House Bill 127, which aims to ban DEI programs in public schools. The bill was passed by Georgia Senate.

Additional information:

[LGBTQ+ Rights Protections in Georgia – State Regs Today](#)

[Privilege, Gentrification, and Displacement in Decatur, Georgia](#)

[HB 1084](#)

[Georgia High School Athletic Group Bans Transgender Athletes | AP News](#)

[Lawmakers: House Committee advances bill restricting medical care for transgender youth on Day 33 | Georgia Public Broadcasting](#)

[House Bill 127](#)

[Georgia Senate Passes Ban on DEI in Schools](#)

SEX-BASED DISCRIMINATION

Hawaii has codified a [state Title IX](#) for education programs. [HRS § 368D-1](#) provides that “*No person in the State, on the basis of sex, **including gender identity or expression**... or sexual orientation, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under (1) any state educational program or activity; or (2) any educational program or activity that receives state financial assistance.*”

This sweeping law (effective 2020) guarantees sex equality in all public and most private schools receiving state funds. Importantly, Hawaii’s law explicitly **defines** discrimination “on the basis of sex” to encompass gender identity/expression and sexual orientation, making it more expansive than federal Title IX in wording. Hawaii’s Constitution ([Art. I](#), §3) also forbids sex discrimination by the state.

Hawaii’s Board of Education has regulations requiring each school to have a Title IX coordinator and process. Sexual harassment of students is treated as sex discrimination – University of Hawaii policies (which extend to the K–12 DOE by practice) state that harassment in education is prohibited. In 2018, Hawaii’s legislature, concerned about federal rollbacks, moved to strengthen Title IX enforcement via Act 110 (2018) and Act 177 (2019). These led to Chapter 368D and clarified that state law will fill any gaps left by federal changes.

Hawaii mandates comprehensive sex education that includes discussion of consent and avoidance of sexual violence (HRS § 321-11.1). Also, the “Erin’s Law” task force in Hawaii led to integration of sexual abuse prevention lessons in K–12 health curricula. Any student facing sex-based discrimination can file with the Hawaii Civil Rights Commission or sue under [HRS § 368D-1](#).

Additional information:
[Bills Enacted by Hawaii State Legislature](#)
[Erin’s Law Report](#)

PREGNANT & PARENTING

Hawaii’s laws treat pregnancy discrimination as a subset of sex discrimination. Under [HRS § 368D-1](#), discrimination “on the basis of sex” includes discrimination due to pregnancy or related conditions (by incorporating federal interpretations). In practice, that means a pregnant **student has the right to remain in her school** and receive accommodations. The [Hawaii Board of Education](#) has “Equal Education Opportunity” rules that ensure no student is excluded for pregnancy.

The Hawaii State DOE offers programs for “teen parents.” There are alternative learning centers that provide childcare so young mothers can continue schooling. By rule, if a student is medically unable to attend due to pregnancy, she must be provided home/hospital instruction (just as any student with a temporary disability would be). Many Hawaii schools also have agreements with community health centers to support pregnant students.

In 2018, Hawaii passed a [law](#) requiring certain public schools to provide lactation accommodations (mirroring workplace pregnancy accommodation laws).

The University of Hawaii system’s policy ([EP 1.204](#)) on sex discrimination explicitly covers students “who might be, are, or have been pregnant.” It requires modifications like larger desks, breaks, rescheduling exams, etc. K–12 schools have adopted similar practices.

Additional information:
[Mothers Helping Mothers](#)
[Teenage Mom Programs](#)
[Breastfeeding State Laws](#)

LGBTQ+

Hawaii expressly prohibits anti-LGBTQ+ discrimination in education. The 2011 Hawaii law adding “[gender identity or expression](#)” to non-discrimination statutes (Act 34 of 2011) and the 2005 law adding “sexual orientation” ensure that those traits are covered wherever “sex” is mentioned. [HRS § 368D-1](#), as noted, lists both gender identity/expression and sexual orientation as protected in schools. Thus, a school that, say, refused to let a transgender boy use the boys’ locker room or refused to let a lesbian student bring a same-sex date to prom would violate Hawaii law.

Hawaii’s DOE has been very supportive of trans students. Guidance from the DOE instructs schools to honor students’ asserted gender identity without requiring documentation. This includes use of preferred name/pronouns in class, access to appropriate facilities, and participation in sports consistent with identity (Hawaii High School Athletic Association policy allows this on a case-by-case basis).

Hawaii’s anti-bullying statute ([HRS § 302A-1004](#)) explicitly includes “*gender identity or expression*” and “*sexual orientation*” as protected categories — schools must have policies to prohibit harassment on those bases (this was part of [Act 214](#), 2011).

While not directly a school issue, Hawaii banned conversion therapy for minors in 2018, reflecting the state’s LGBTQ-affirming stance. A student who faces anti-LGBTQ discrimination can file with the Civil Rights Commission just as for sex or race discrimination. Additionally, Hawaii’s Human Rights law ([HRS Chapter 489](#)) covers public accommodations and includes schools, reinforcing that it is unlawful to deny any person access to services based on sexual orientation or gender identity. In sum, Hawaii’s legal framework is one of the most protective for LGBTQ students in the nation, embedding protections in both statutes and regulations.

Additional information:

[Transgender Students](#)

[Administrative Regulations](#)

[Hawaii Becomes 12th State to Ban Conversion Therapy For LGBTQ Youth](#)

SEX-BASED DISCRIMINATION

Idaho does not have a state law equivalent to Title IX; there is no Idaho statute specifically prohibiting sex discrimination in education. Public school students are protected primarily by federal law and the Idaho Constitution's equal protection clause. Idaho's state human rights law (Idaho [Code § 67-5909](#)) covers sex discrimination in employment, etc., but **does not extend to educational institutions** in any explicit way. Idaho has not enacted an educational equity statute — a bill in 2020 (HB 440) that would have mirrored Title IX died in committee.

Sexual Harassment & Assault

Idaho law does mandate instruction on child sexual abuse prevention (the “Erin’s Law” [curriculum](#) was adopted into Idaho’s content standards in 2015). But there is no separate Idaho statute giving students a right to be free from sexual harassment beyond general prohibitions on bullying.

Idaho Human Rights Act

Idaho Code Title 49, Chapter 1 (latest version, 2023); available at Idaho Legislature . The Act prohibits discrimination in public accommodations, including educational institutions.

Idaho Code Title 67-5909 prohibits discrimination on the basis of sex. While the statute does not explicitly list sexual orientation or gender identity, federal Title IX protections apply. The language directs that “no educational institution shall engage in conduct that results in unequal treatment on the basis of sex, including any harassment or bias that undermines equal educational opportunity.” See Idaho Code 67-5909.

Additional information:

[Title 18](#)

PREGNANT & PARENTING

Idaho law does not provide special rights or programs for pregnant or parenting students; it treats them as any other students under general rules. Idaho’s compulsory attendance law (Idaho [Code § 33-202](#)) makes education mandatory to age 16 with no exception for pregnancy, meaning pregnant students have the right (and obligation) to attend school.

While not mandated, some Idaho school districts offer “teen parent” programs or dual-enrollment in alternative schools where flexible scheduling and on-site childcare might be available. For instance, the Idaho Falls School District runs a Young Parent Education Program. State law (Idaho [Code § 33-1002](#)) allows school districts to claim average daily attendance funding for homebound students, which can include those out on maternity leave, so districts have financial incentive to provide home instruction to pregnant students who are temporarily out.

Idaho’s lack of state remedy means the student would complain to the U.S. Department of Education’s Office for Civil Rights or potentially use the Idaho Constitution’s equal protection clause.

Additional information:

[Title I - Parental Involvement Policy](#)

[Idaho Has the Worst Funded Schools in the Nation](#)

[Here’s Why Education Choice Opponents Can’t Hide Behind Idaho’s Constitution](#)

LGBTQ+

Idaho's legal stance is **openly adversarial** to LGBTQ student rights. The state Human Rights Act does not include sexual orientation or gender identity as protected classes, and efforts to add them ("Add the Words") have been repeatedly rejected. In education, Idaho has passed laws that specifically disadvantage transgender youth: the 2020 sports ban and 2023 facility/bathroom law as mentioned.

In 2023, Idaho also enacted [HB 163](#) which prohibits schools from administering or requiring any survey on students' sexual orientation or gender identity without parental consent.

Idaho does have an anti-bullying law (Idaho [Code § 33-1631](#)), but it does not list protected categories like LGBTQ. Thus, a gay or trans student facing bullying must rely on general anti-bullying enforcement, which varies.

Idaho's legislature and Department of Education have removed or blocked content seen as affirming LGBTQ identities. For instance, in 2020 the state DOE removed links to GLSEN materials from its website after complaints. There is no "don't say gay" statute in Idaho, but prevailing practice leans toward avoiding LGBTQ topics in lower grades.

The combined effect of Idaho's new laws is that transgender students are effectively barred by law from: participating in sports as their identified gender (law in effect, pending court outcome), using school restrooms or locker rooms matching their gender (SB 1100, in effect), and possibly having their pronouns respected (administratively, Idaho state guidance to schools in 2023 was to prioritize parental rights and free speech of teachers – meaning teachers cannot be compelled to use a student's pronouns). Indeed, the new Idaho bathroom law even allows peers to sue if they encounter a trans student in the "wrong" facility, creating a hostile environment by design.

In December 2024, the Idaho Board of Education unanimously approved a resolution [banning DEI offices and initiatives](#) in all public universities. These changes are expected to be implemented by June 30, 2025.

Additional information:

[Laws Cannot Erase Us: Idaho LGBTQ+ Community Commemorates 10 Years Since Add the Words Hearing](#)

[LGBTQIA+ Rights | Idaho ACLU](#)

[Rule to protect LGBTQ+ students won't take effect in Idaho | Idaho Statesman](#)

[Anti-Trans Pronoun Law: House Bill 538 \(2024\) Fact Sheet | ACLU of Idaho](#)

[Idaho lawmakers pass bills targeting LGBTQ+ citizens. Protesters toss paper hearts in protest | AP News](#)

[Idaho Can Restrict Transgender Students' Restroom Use, Appeals Court Rules](#)

SEX-BASED DISCRIMINATION

Illinois has a state Equal Rights Amendment – Article I, §18 of the [Illinois Constitution](#) says “the equal protection of the laws shall not be denied or abridged on account of sex.” Additionally, the Illinois Human Rights Act (IHRA) (775 ILCS 5/) prohibits sex discrimination in “educational institutions.” Under IHRA § 5-101(A)(2), schools (both public and private) are considered places of public accommodation, and it is a civil rights violation to deny any person the facilities or services of a public accommodation on the basis of sex. Thus, a student can file a charge with the Illinois Department of Human Rights if subjected to sex-based exclusion.

Specific School Code Provisions

Illinois’s School Code contains equity provisions as well. For instance, [105 ILCS 5/27-1](#) states that no student shall be excluded from any course or activity on the basis of sex, except for contact sports (consistent with Title IX’s allowance). The Illinois State Board of Education enforces sex equity rules requiring districts to periodically evaluate and assure gender equity in programs.

By law, all Illinois schools must have a policy on sexual harassment. The Preventing Sexual Violence in Higher Education Act applies to colleges, and many K–12 districts voluntarily mirror those protections. Notably, Illinois courts allow private lawsuits under state law for sex discrimination in schools – either via the IHRA or common-law tort if the school was willfully negligent. Sports: Illinois has long allowed girls to try out for boys’ teams if no equivalent team exists (in 1975, Illinois was among the first to implement Title IX regs in high schools. See 45 at L481-L487 and 45§L489-L497. The Illinois High School Association follows inclusive practices as required by IHRA. Overall, Illinois provides multiple layers of sex-discrimination protection: constitutional, statutory (IHRA and School Code), and regulatory.

Additional information:

[Preventing Sexual Violence in Higher Education Act](#)

PREGNANT & PARENTING

Illinois law explicitly protects pregnant and parenting students. The Illinois School Code was amended ([Public Act 100-810](#) in 2018) to require school boards to adopt policies on accommodating student absences due to pregnancy, childbirth, and related parenting needs. Under 105 ILCS 5/10-20.78, “A school board shall adopt written policies related to absences and missed homework or classwork assignments as a result of or related to a student’s pregnancy.”[84§L231-L239] These policies ensure excused absences for maternity leave and allow makeup work, in line with Title IX. Attendance & Homebound Instruction: Illinois explicitly provides that “no student shall be expelled or excluded on the basis of pregnancy.”

105 ILCS 5/26-1(f) states that the usual attendance exemption for illness “does not apply to any female who is pregnant or the mother of one or more children” unless she has a medical complication certified by a doctor[85§L85-L94]. This means a pregnant student is expected and entitled to attend school normally; pregnancy alone isn’t a valid reason to be kept out (unless medically necessary). If she does have complications, she qualifies for home/hospital instruction like any temporarily disabled student.

Illinois law (since 2023, via Public Act 103-0179) also requires schools to provide [lactation accommodations](#). High schools must provide a private, secure room (not a bathroom) for breastfeeding or pumping and allow reasonable breaks. Additionally, for parenting students, Illinois law (105 ILCS 5/26-2) excuses student absences for their child’s illness or medical appointments (up to a certain number of days) – notably, IL permits “Student absenteeism for parenting responsibilities” in some district policies (with P.A. 102-0321 granting 5 days of excused absences for a student who is a parent to care for a sick child or attend a child’s appointments. See 83 at L1-L9, 83 at L21-L29.

Besides filing a Title IX complaint, [an Illinois student can file with the Illinois Department of Human Rights claiming sex discrimination](#) if a school failed to accommodate her pregnancy (the IHRA includes “pregnancy” within sex discrimination). Illinois courts have recognized pregnancy discrimination as sex discrimination in education, consistent with federal law. See 83 at L23-L29.

LGBTQ+

Illinois Human Rights Act

Illinois was a pioneer in LGBTQ rights – the IHRA was amended in 2005 to add “sexual orientation,” defined to include “*gender-related identity, whether or not traditionally associated with the person’s designated sex at birth.*” See 66 at L5-L8, 66 at L6-L12. This means discrimination against a student for being gay or transgender is unlawful in any Illinois school (public or private) as a public accommodation violation. A student can file a charge with the state if, for example, they were denied admission or disciplined more harshly due to LGBTQ status.

Illinois’ “*Prevent School Violence Act*” (P.A. 96-952, 2010) requires every school district to have an [anti-bullying policy](#) that enumerates protected categories including sexual orientation, gender identity, and gender expression. 105 ILCS 5/27-23.7 mandates that policies specifically address bullying motivated by “actual or perceived differences,” explicitly listing sexual orientation and gender-related identity. Thus, schools are legally required to intervene in anti-LGBTQ bullying.

Transgender Students

By state guidance, Illinois schools allow students to use facilities and participate in activities consistent with their gender identity. In 2019, the Illinois State Board of Education (ISBE) published guidance affirming trans students’ rights under the IHRA and Title IX. Chicago Public Schools and other large districts have had trans-inclusive policies for years.

Illinois has no ban on trans athletes; on the contrary, the Illinois High School Association has a policy (adopted 2013) permitting transgender students to compete consistent with their gender, with an eligibility process. This policy aligns with the IHRA, which would likely view a trans exclusion as sex discrimination.

Illinois in 2019 passed the [Inclusive Curriculum Law](#) (P.A. 101-0227) requiring that history classes in K–12 include contributions of LGBTQ individuals. Illinois is one of a few states with such a mandate, reflecting its affirmative approach to LGBTQ inclusion.

Additional information:

[Employment Non-Discrimination Act](#)

[Illinois State Board of Education Violation of Title IX](#)

[Transgender Athlete Laws](#)

INDIANA

SEX-BASED DISCRIMINATION	LGBTQ+
<p>Indiana Code § 20-33-1-1 says the “public policy of the state” is to “provide: equal; nonsegregated; and nondiscriminatory; educational opportunities and facilities for all, regardless of race, creed, national origin, color, or sex.”</p> <p>Indiana’s Civil Rights law (§ 22-9-1) prohibits discrimination in education on the basis of race, religion, color, sex, disability, national origin, or ancestry.</p> <p>If an individual feels they have been subjected to sex discrimination in Indiana schools, they may file a complaint with the Indiana Civil Rights Commission.</p>	<p><i>There are no specific provisions concerning discrimination against LGBTQ+ students, but Indiana Code § 20-33-1 may apply to prohibit LGBTQ+ discrimination as a form of sex discrimination.</i></p> <p>Though LGBTQ+ students are not specifically mentioned, Indiana’s Anti-Bullying Laws (§ 20-33-8-0.2, § 20-33-8-13.5) require schools to address bullying that creates a hostile educational environment, including that caused by sexual orientation or gender identity harassment.</p> <p>The “Education Matters” bill (HB 1608) was signed into law in May 2023. It prohibits schools from providing “instruction” to student pre-K through 3rd grade on “human sexuality.” It also requires schools to notify parents if a student requires a title, name, or pronoun change.</p> <p>Additional information: Know Your Rights Indiana</p>
PREGNANT & PARENTING	
<p><i>There are no specific provisions concerning education and discrimination on the basis of parent status or pregnancy, but Indiana Code § 20-33-1 may apply to prohibit pregnancy discrimination as a form of sex discrimination.</i></p>	

SEX-BASED DISCRIMINATION

[Iowa Civil Rights Law § 216.9](#) prohibits discrimination in educational institutions “on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability in any program or activity.”

Iowa [Code § 256.11](#) requires schools to provide “multicultural, gender-fair” educational programs. Iowa [Code § 280.3](#) prohibits discrimination on the basis of race, color, creed, sex, marital status, or place of national origin” in any educational program.

If an individual feels they have been subjected to prohibited discrimination in Iowa schools, they may file a complaint with the [Iowa Civil Rights Commission](#).

PREGNANT & PARENTING

§ 216.9.d. specifies “the application of any rule concerning the actual or potential parental, family or marital status of a person, or the exclusion of any person from any program or activity or employment because of pregnancy or related conditions” constitute discrimination on the basis on sex.

Iowa’s Anti-Bullying Laws § 280.28 define bullying to include any conduct that creates a hostile educational environment, which may include harassment on the basis of, inter alia, “marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability.” Iowa schools are required schools to anti-bullying policies and procedures.

LGBTQ+

[§ 216.9.d.](#) prohibits discrimination of the basis of sexual orientation and gender identity.

[Iowa’s Anti-Bullying Laws § 280.28](#) define bullying to include any conduct that creates a hostile educational environment, which may include harassment on the basis of, inter alia, “marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability.” Iowa schools are required schools to anti-bullying policies and procedures.

Update

On February 28, Iowa [SF 418](#) was signed into law. It removes “gender identity” as a protected class under Iowa civil rights laws. Iowa was the [first state](#) to do so. SF 418 also prohibits certain teaching about “gender theory” in K-6.

KANSAS

SEX-BASED DISCRIMINATION	LGBTQ+
<p>While Kansas does have the “Kansas Acts Against Discrimination,” K.S.A. § 44-1001, these protections only apply to public accommodations, housing, and employment. Kansas courts have not spoken on the issue since 1988, but it does not appear these protections extend to education. See <i>Kan. Com. on Civil Rights v. Topeka Unified Sch. Dist.</i>, 243 Kan. 137, 755 P.2d 539 (1988).</p> <p>There are no other protections for Kansas students experiencing sex discrimination. Recently, Kansas students with claims of discrimination have relied on the protections of Title IX. See, e.g., <i>Sturdivant v. Blue Valley Unified School District</i>, USD 229, 469 F.Supp.3d 1121 (D.Kan. 2020) (Kansas student alleging racial discrimination and bringing only federal claims).</p>	<p><i>There does not appear to be any state law protections for LGBTQ+ students under Kansas state law.</i></p>
	PREGNANT & PARENTING
	<p><i>There does not appear to be any state law protections for pregnant or nursing students under Kansas state law.</i></p>

KENTUCKY

SEX-BASED DISCRIMINATION	LGBTQ+
<p>K.R.S. § 344.555 prohibits sex discrimination in any education program receiving state financial assistance. Courts describe § 344.555 as “simply a state law codification of federal Title IX that does not differ in substance from Title IX.” <i>K.D. v. Swafford</i>, 353 F. Supp. 3d 606, 618 (E.D. Ky. 2018).</p>	<p>K.R.S. § 344.55 does not specifically mention LGBTQ+ students, and Kentucky’s courts have never spoken directly on this issue. However, K.R.S. § 344.55 mirrors the protections under Title IX which do protect LGBTQ+ students.</p>
PREGNANT & PARENTING	
<p>K.R.S. § 344.55 does not specifically mention pregnant or nursing students, and Kentucky’s courts have never spoken directly on this issue. However, K.R.S. § 344.55 mirrors the protections under Title IX which do protect pregnant and nursing students.</p>	<p>Update In March 2025, Kentucky enacted HB 495 which overturns the prior law banning conversion therapy for minors and prohibits the use of Medicaid funds for gender-affirming care.</p>

LOUISIANA

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p>Louisiana Revised Statutes (LRS) – Anti-Discrimination Provisions</p> <p>Relevant provisions are found in LRS Title 17 and associated administrative regulations (2023); available at Louisiana Legislature . In addition, the Louisiana Department of Education issues guidelines for nondiscrimination in public schools.</p> <p>Louisiana’s statutory framework (as interpreted under LRS Title 17) prohibits discrimination based on sex. Courts and administrative guidance have held that “no student shall be denied equal access to educational programs on the basis of sex or gender, and any unwelcome physical, verbal, or visual conduct that creates a hostile learning environment is prohibited.” School districts are required to adopt clear anti-harassment policies. See LRS Title 17 and associated regulations.</p>	<p>Guidelines issued by the Louisiana Department of Education require that public schools “provide reasonable accommodations for pregnant or parenting students.” Such accommodations include flexible scheduling, parental leave options, and access to counseling services so that pregnancy or parenting does not interfere with a student’s academic progress. See Louisiana DOE guidelines.</p>	<p>While Louisiana’s statutory language in LRS Title 17 does not explicitly enumerate protections for sexual orientation or gender identity, recent administrative guidance and court interpretations have extended nondiscrimination principles to LGBTQ+ students. Many school districts now require that “no educational program shall discriminate on the basis of sexual orientation or gender identity” in alignment with federal Title IX mandates. See LRS Title 17 and Louisiana DOE guidance.</p>

SEX-BASED DISCRIMINATION

Maine Human Rights Act

The Maine Human Rights Act (MHRA) ([5 M.R.S. § 4601 et seq.](#)) prohibits discrimination on the basis of sex in educational opportunities.

It covers both public and private schools. Since 1973, [MHRA § 4602](#) has stated that no student may be “excluded from participation in, denied the benefits of, or subjected to discrimination in any educational program or activity on account of sex.”

[Maine’s law](#) is essentially a state-level Title IX. In 2005, Maine amended the MHRA to clarify that “sex” includes pregnancy and “sexual orientation” (which by Maine’s definition includes gender identity). Moreover, Maine’s Constitution has an Equal Protection clause (Art. I, §6-A) interpreted to forbid sex discrimination by public entities.

Maine DOE regulations ([05-071 CMR Chap. 94](#)) require each school administrative unit to have a non-discrimination policy including sex.

Under [MHRA](#), sexual harassment is considered unlawful sex discrimination in schools. The Maine Human Rights Commission (MHRC) has issued guidance to schools on preventing and responding to sexual harassment. Additionally, Maine statute 20-A M.R.S. § 6554 requires schools to have policies addressing dating violence. Maine was early in incorporating “*dating violence*” education into health curriculum.

In 1995, the Maine Supreme Court in *Town of Hermon v. Maine Human Rights Comm’n* upheld that a pregnant student forced into an alt program was unlawful sex discrimination, reinforcing MHRA’s reach.

PREGNANT & PARENTING

Maine explicitly protects pregnant students via the MHRA’s ban on sex discrimination. Because Maine defines “**because of sex**” to include “*because of pregnancy or related medical conditions*,” a school’s adverse treatment of a pregnant student is illegal. As noted, the Hermon case in Maine established that forcing a pregnant girl out of regular school violated state law.

[Schools are expected to accommodate pregnant and parenting teens](#), e.g., provide alternate instruction during maternity leave, allow excused absences for medical appointments, and ensure they can return to the same academic standing. The Maine DOE often works with the Dept. of Health to provide services like the “*School Age Parents*” program offering childcare and parenting classes to student-parents.

Maine’s attendance law ([20-A M.R.S. § 5001-A](#)) does not exempt pregnant or parenting students; thus, they must be afforded the same attendance opportunities. If a student is absent due to pregnancy complications, that counts as an excused illness (with doctor’s note). Notably, Maine law (Title 26 § 878) even entitles breastfeeding mothers (including students working in school settings) to lactation breaks — and while this labor law doesn’t directly bind schools for students, many Maine schools voluntarily provide lactation rooms for student-moms.

Some Maine school districts have alternative education programs specifically for teen parents (like Portland’s “[Teen Parent Education Program](#)”). State law doesn’t require separate programs, but does permit districts to run them and still count those students in funding counts.

The MHRA also covers discrimination based on “**familial status**” (being a parent), but that typically applies to housing. In schools, a student can’t be barred from extracurricular activities due to being a parent — doing so would be sex/familial status discrimination under Maine law.

Additional information:

[Another federal probe targets Maine school gender policies, citing parental rights](#)
[St. Dominic Academy v. MHRC](#)
[Safe & Inclusive Schools for LGBTQIA Youth](#)

LGBTQ+

Maine was one of the first states to ban discrimination based on “sexual orientation” in education (effective 2005). [5 M.R.S. § 4553\(9-C\)](#) defines “sexual orientation” to include “a person’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity or expression.”

Since 2005, Maine’s MHRA [has forbidden schools from discriminating against students for being LGBTQ+](#). In 2014, Maine’s highest court made landmark law in [Doe v. Regional School Unit 26](#), ruling that under the MHRA a transgender girl had the right to use the girls’ bathroom at school. This was the first case of its kind nationally. The court held that denying a trans student access consistent with her gender identity was unlawful gender identity discrimination.

Athletics

The Maine Principals’ Association has a [transgender participation policy](#)—since 2015, any transgender student athlete can request to play on the team aligning with their gender identity, and the school and association will grant it in line with MHRA (Maine has **no ban** on trans athletes; instead it actively accommodates them, consistent with Doe).

Maine’s anti-bullying law ([20-A M.R.S. § 6554](#)) specifically lists sexual orientation and gender identity as characteristics often targeted, and requires school policies to address such harassment. Maine also forbids “harassment on account of sexual orientation” in schools under Dept. of Education Chapter 125 rules.

[There is no statutory gag on LGBTQ topics](#); some Maine districts have incorporated LGBTQ history and literature. The state has even passed a law encouraging public schools to teach about the history of underrepresented groups (which can include LGBTQ figures).

[Maine banned conversion therapy for minors](#) in 2019, aligning with its broader stance of support for LGBTQ youth well-being.

MARYLAND

SEX-BASED DISCRIMINATION

Maryland's constitution contains an Equal Rights Amendment (Art. 46) stating "Equality of rights under the law shall not be abridged or denied because of sex." This ERA is self-executing and has been applied to public education. Additionally, Maryland law (Maryland Code, State Gov't § 20-901) prohibits discrimination by "places of public accommodation," a term that by regulation includes schools.

Thus, a school that discriminates based on sex may violate [Maryland's public accommodations law](#) (enforced by the Maryland Commission on Civil Rights).

While Maryland's Education Article does not have a standalone "no discrimination" section for sex, it incorporates federal requirements. COMAR 13A.01.06.01 (State Board regulation) explicitly requires local school systems to comply with Title IX. Maryland has also passed specific laws promoting gender equity: for example, Md. Education [Code § 2-205\(g\)\(2\)](#) mandates the State Board to implement regulations promoting gender equality in athletics and technology education.

Sexual Harassment Policies

Since 2004, Maryland law (Md. Ed. [Code § 7-424](#)) requires each school district to have a sexual harassment policy for students. Schools must designate staff to handle complaints and annually inform students of their rights. In 2018, Maryland enacted Erin's Law (Chapter 33) requiring age-appropriate instruction on sexual abuse prevention in elementary schools.

Athletics

Maryland's code ([COMAR 13A.06.03](#)) on interscholastic athletics incorporates Title IX standards. Schools must provide equal athletic opportunities for boys and girls. Maryland notably has had cases (e.g., female wrestlers seeking to compete) resolved in favor of inclusion under state equal rights principles.

Additional information:

[Memorandum on Bill B 4-22](#)
[Maryland Sex Ed](#)

PREGNANT & PARENTING

Maryland does not have a statute solely addressing [pregnant or parenting students](#), but state regulations and local policies strongly protect them. Under [federal Title IX](#) (which Maryland incorporates), schools must excuse absences for pregnancy/childbirth and allow return to the same academic status. Maryland's State Board has emphasized that pregnant students have the right to continue their education: COMAR 13A.08.01.01 specifically lists "pregnancy" as a lawful reason for a student's excused absence. Many Maryland districts go further, offering home and hospital teaching for pregnant students before and after delivery (as a form of temporary disability service). For instance, Montgomery County Public Schools Policy JED states that pregnant/parenting students must be afforded home instruction and opportunity to make up work.

Maryland law (Ed. § 7-301) requires [compulsory attendance](#) to 18 with no pregnancy exception, meaning pregnant teens are expected to stay enrolled. Some districts have "Evening High School" or online programs which young parents can use for flexibility. Baltimore City, for example, operates a "[Pregnant and Parenting Teens](#)" program with on-site childcare.

Lactation

In 2018, Maryland passed a law ([Ch. 659](#)) requiring public schools to provide reasonable accommodations to lactating students, such as breaks and a private location to pump breast milk.

If a Maryland public school were to exclude a student for being pregnant, it would likely violate the state constitution's ERA (as sex discrimination) and Title IX. Maryland courts would view such action skeptically under Article 46, which has been interpreted to bar classifications on the basis of sex absent compelling justification. Pregnancy-based discrimination is considered a form of sex discrimination (since only one sex can become pregnant).

Additional information:

[House Bill 401](#)
[Model Policy](#)

LGBTQ+

Maryland added “sexual orientation” to state [anti-discrimination law in 2001](#) and “gender identity” in 2014. Under Maryland Code, State Gov’t § 20-304, it is unlawful for any public accommodation (including schools) to discriminate based on sexual orientation or gender identity. Thus, LGBTQ students are protected by state law.

Maryland’s “**Safe Schools Reporting Act**” and Model Policy (2008) require every district to have an [anti-bullying policy](#) that lists prohibited bases of harassment, including sexual orientation and gender identity (MD Code, Ed. § 7-424.1). Schools must report incidents of bias-driven bullying to the state.

Transgender Students

The Maryland State Department of Education in 2015 issued [comprehensive guidelines for accommodating transgender students](#) – covering use of names/pronouns, access to facilities, and participation in activities consistent with gender identity. Many districts (e.g., Howard County, Baltimore County) have formal policies reflecting this guidance. Maryland’s athletic association (MPSSAA) has a policy allowing transgender students to compete consistent with gender identity once approved by a school review committee.

In 2021, Maryland enacted the Inclusive Schools Act, requiring MSDE to develop resources on diversity and requiring schools to [update anti-discrimination policies to explicitly include LGBTQ students](#). Maryland also mandated that health education include “*affirmative consent*” and respect for all sexual orientations/gender identities.

Maryland has no laws restricting curriculum speech regarding LGBTQ issues. Gay-straight alliances operate in many schools, and in 2022 the state Board encouraged inclusion of LGBTQ+ history in social studies standards.

Some Maryland counties (e.g., Montgomery) have additional human rights ordinances that cover youth in schools, reinforcing protections. Charter schools, as public schools, also must comply with non-discrimination provisions; any charter that attempted to exclude or discourage LGBTQ students would violate state law and could lose its charter.

Additional information:

[ACLU Applauds Ruling Affirming Importance of LGBTQ Representation in Maryland School District’s ELA Curriculum](#)

[Student’s Guide to Rights & Responsibilities](#)

MASSACHUSETTS

SEX-BASED DISCRIMINATION

[General Laws, Part I, Title XII, Chapter 76, Section 5](#) (also known as Massachusetts School Attendance Law) provides that “[n]o person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on . . .sex, gender identity, . . .or sexual orientation.”

[General Laws, Part 1, Title XXI, Chapter 151C, Section 2](#) provides that “It shall be an unfair educational practice for an educational institution:— . . . (d) To exclude, limit or otherwise discriminate against any person seeking admission to a program or course of study leading to a degree, beyond a bachelor’s degree, because of . . .sex. . . , or to so discriminate against any student admitted to such program or course of study in providing benefits, privileges and placement services.”

[Chapter 337](#) of the Acts of 2020, also known as the **2021 Campus Sexual Assault Law**, is a state law that specially focuses on campus responses to sexual violence.

The law mandates that “each institution shall adopt policies on sexual misconduct involving students”. “The policies shall include, but not be limited to:

- (i) procedures by which students and employees at the institution may report incidents of sexual misconduct. . . ;
- (ii) information on where to receive immediate emergency assistance following an incident of sexual misconduct. . . ;
- (iii) descriptions of the types of counseling and health, safety, academic and other support services available from the institution. . . ;
- (iv) information on the rights of students and employees to:
 - (A) notify or decline to notify law enforcement, including campus, local and state police, of an alleged incident of sexual misconduct;
 - (B) receive assistance from campus authorities in making any such notification;
 - (C) obtain a court-issued protective order or an institution-issued no-contact order against an alleged perpetrator of the sexual misconduct; and
 - (D) concurrently utilize the institution’s process for investigating sexual misconduct complaints and any external civil or criminal processes available to the student or employee;
- (v) school-based supportive measures reasonably available from the institution, which shall include, but not be limited to, options for changing academic, living, campus transportation or working arrangements in response to an alleged incident of sexual misconduct, regardless of where the conduct occurred or whether such conduct occurred outside of an institution’s programs or activities, and regardless of whether a complaint is filed in accordance with the institution’s policy for resolving complaints, how to request such measures and the process to have any such measures reviewed”.

PREGNANT & PARENTING

Massachusetts does not have specific state law that explicitly protects student from discrimination based on pregnancy or parenting status. Education institutions in Massachusetts (e.g., Boston University, UMass Boston) adhere to Title IX regulations to support pregnant and parenting students.

Additional information:

[Pregnancy & Parenting Rights](#)

[Umass Boston Pregnancy & Parenting Rights](#)

LGBTQ+

General Laws, [Part I, Title XII, Chapter 76, Section 5](#) (also known as Massachusetts School Attendance Law) provides that “[n]o person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of . . .sex, gender identity, . . . or sexual orientation.”

Massachusetts Interscholastic Athletic Association (MIAA) adheres to this law by allowing students to participate in sports consistent with their gender identity.

The MIAA’s policy provides that:

“43. [Gender and Participation](#)

- (i) A student shall not be excluded from participation on a gender-specific sports team that is consistent with the student’s bona fide gender identity.
- (ii) When a school district submits a roster to the MIAA, it is verifying that it has determined that the students listed on a gender-specific sports team are eligible to participate either based on the gender listed on their official birth certificate or based on their bona fide gender identity and that no students are included on the roster solely for the purpose of gaining an unfair advantage in competitive athletics. The MIAA shall defer to the determination of the student and the student’s school regarding gender classification.”

The Massachusetts Department of Elementary and Secondary Education provides [guidance](#) to public schools on creating a safe and supportive environment for LGBTQ+ students.

SEX-BASED DISCRIMINATION

Elliott-Larsen Civil Rights Act, Act 453 of 1976

37.2402, Sec. 402. mandates that “[a]n educational institution shall not do any of the following:

- (a) Discriminate against an individual in the full utilization of or benefit from the institution, or the services, activities, or programs provided by the institution because of...sex.
- (b) Exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, or privileges of the institution, because of...sex.
- (c) For purposes of admission only, make or use a written or oral inquiry or form of application that elicits or attempts to elicit information concerning...sex, or marital status of a person...
- (d) Print or publish or cause to be printed or published a catalog, notice, or advertisement indicating a preference, limitation, specification, or discrimination based on the ...sex of an applicant for admission to the educational institution.
- (e) Announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members because of...sex.”

37.2102, Sec. 102.(1) provides that “[t]he opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of...sex,..., familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.”

37.2301, Sec. 301. As used in this article: (a) “Place of public accommodation” means...an educational...facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of the following private clubs:

- (i) A country club or golf club
- (ii) A boating or yachting club
- (iii) A sports or athletic club..”

37.2103, Sec. 103. defines that “[d]iscrimination because of sex includes sexual harassment. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature”.

37.2201, Sec. 201.(d) defines that “‘sex’ includes, but is not limited to, pregnancy, childbirth, or a medical condition related to pregnancy or childbirth that does not include non-therapeutic abortion not intended to save the life of the mother.”

PREGNANT & PARENTING

Elliott-Larsen Civil Rights Act, Act 453 of 1976

37.2102, Sec. 102.(1) provides that “[t]he opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of...sex,..., familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.”

37.2201, Sec. 201.(d) defines that “‘sex’ includes, but is not limited to, pregnancy, childbirth, or a medical condition related to pregnancy or childbirth that does not include non-therapeutic abortion not intended to save the life of the mother.”

LGBTQ+

Elliott-Larsen Civil Rights Act, Act 453 of 1976

37.2302a, Sec. 302a applies to private club.

“(1) This section applies to a private club that is defined as a place of public accommodation pursuant to section 301(a).

(2) If a private club allows use of its facilities by 1 or more adults per membership, the use must be equally available to all adults entitled to use the facilities under the membership. All classes of membership shall be available without regard to...gender,..., marital status, or national origin...”.

“(4) This section does not prohibit a private club from sponsoring or permitting sports schools or leagues for children less than 18 years of age that are limited...to members of 1 sex, if comparable and equally convenient access to the club’s facilities is made available to both sexes and if these activities are not used as a subterfuge to evade the purposes of this article.”

37.2102, Sec. 102.(1) provides that “[t]he opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of...sex,..., familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.”

37.2301, Sec. 301. As used in this article

(a) “Place of public accommodation” means...an educational...facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of the following private clubs:

- (i) A country club or golf club.
- (ii) A boating or yachting club.
- (iii) A sports or athletic club...”

SEX-BASED DISCRIMINATION

2024 Minnesota Statutes, [Section 363A.02](#) prohibits discrimination in education on the basis of sex, among other protected characteristics. “It is the public policy of this state to secure for persons in this state, freedom from discrimination... in education because of... sex, gender identity..., sexual orientation...”

2024 Minnesota Statutes, [Section 121A.03](#) mandates that school boards adopt written policies addressing sexual, religious, and racial harassment and violence. “A school board must adopt a written sexual, religious, and racial harassment and sexual, religious, and racial violence policy that conforms with chapter 363A. The policy shall apply to pupils, teachers, administrators, and other school personnel, include reporting procedures, and set forth disciplinary actions that will be taken for violation of the policy. Disciplinary actions must conform with collective bargaining agreements and sections [121A.41](#) to [121A.56](#). The policy must be conspicuously posted throughout each school building, given to each district employee and independent contractor at the time of entering into the person’s employment contract, and included in each school’s student handbook on school policies. Each school must develop a process for discussing the school’s sexual, religious, and racial harassment and violence policy with students and school employees.”

2024 Minnesota Statutes, [Section 135A.15](#) requires postsecondary institutions in Minnesota to have clear policies on sexual harassment and violence. In particular, “[a] postsecondary institution must adopt a clear, understandable written policy on sexual misconduct that informs victims of their rights under the crime victims bill of rights, including the right to assistance from the Crime Victims Reimbursement Board and the commissioner of public safety. The policy must apply to students and employees and must provide information about their rights and duties. The policy must apply to criminal incidents against a student or employee of a postsecondary institution occurring on property owned or leased by the postsecondary system or institution or at any activity, program, organization, or event sponsored by the system or institution, or by a fraternity or sorority, or any activity, program, organization, or event sponsored by the system or institution, or by a fraternity or sorority, regardless of whether the activity, program, organization, or event occurs on or off property owned or leased by the postsecondary system or institution. It must include procedures for reporting incidents of sexual misconduct and for disciplinary actions against violators. During student registration, a postsecondary institution shall provide each student with information regarding its policy. A copy of the policy also shall be posted at appropriate locations on campus at all times.”

PREGNANT & PARENTING

2023 Minnesota Statutes, [Section 135A.158](#) mandates that “[a] public or regionally accredited private postsecondary educational institution must provide... a fact sheet on the legal rights of student parents and pregnant students and a list of resources to support student parents and pregnant students. The list of resources may include resources for prenatal care, child care, transportation, and housing. This information must be available in languages that reflect the primary languages of the institution’s student body. The Board of Regents of the University of Minnesota is requested to comply with this section.”

2024 Minnesota Statutes, [Section 135A.1582](#) requires that

(a) A Minnesota state college or university may not require and the University of Minnesota is requested not to require a pregnant or parenting student, solely because of the student’s status as a pregnant or parenting student or due to issues related to the student’s pregnancy or parenting, to:

- (1) take a leave of absence....,
- (2) limit student’s studies, ...,
- (5) refrain from joining or cease participating in any course, activity, or program at the college or university,

(b) A Minnesota state college or university shall provide and the University of Minnesota is requested to provide reasonable modifications to a pregnant student...,

(e) if a public college or university provides early registration for courses or programs at the institution for any group of students, the Minnesota state college or university must provide and the University of Minnesota is requested to provide early registration for those courses or programs for pregnant or parenting students in the same manner.”

LGBTQ+

[2024 Minnesota Statutes, Section 363A.02](#) prohibits discrimination in education on the basis of gender identity and sexual orientation. “It is the public policy of this state to secure for persons in this state, freedom from discrimination... in education because of... sex, gender identity..., sexual orientation...”

[2024 Minnesota Statutes, Section 121A.04](#) mandates that “(e)ach educational institution or public service shall provide equal opportunity for members of each sex and members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this section, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution or the population served by the public service.”

MISSISSIPPI

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p><i>Mississippi state law does not expressly recognize sex-based discrimination in schools, but does protect against discrimination more broadly against “any actual or perceived differentiating characteristic.”</i></p> <p>See Mississippi Code 1972 (2023), Title 37 (Education), Chapter 11 (General Provisions Pertaining to Education), Article 1, Section 67 (Bullying or Harassing Behavior in Public School Prohibited) (see (1), defining “bullying or harassing behavior” as “any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic”).</p>	<p><i>Mississippi state law does not expressly recognize discrimination in school based on a student’s status as pregnant or parenting, but does protect against discrimination more broadly against “any actual or perceived differentiating characteristic.”</i></p> <p>See Mississippi Code 1972 (2023), Title 37 (Education), Chapter 11 (General Provisions Pertaining to Education), Article 1, Section 67 (Bullying or Harassing Behavior in Public School Prohibited) (see (1), defining “bullying or harassing behavior” as “any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic”).</p>	<p><i>Mississippi state law does not expressly recognize discrimination in schools based on gender identity, sexual orientation, etc., but does protect against discrimination more broadly against “any actual or perceived differentiating characteristic.”</i></p> <p>See Mississippi Code 1972 (2023), Title 37 (Education), Chapter 11 (General Provisions Pertaining to Education), Article 1, Section 67 (Bullying or Harassing Behavior in Public School Prohibited) (see (1), defining “bullying or harassing behavior” as “any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic”).</p> <p>Unlike Title IX, Mississippi has passed laws limiting the rights of students to participate in athletics aside from those of their “biological sex.”</p> <p>See Mississippi Code 1972 (2023), Title 37 (Education), Chapter 97 (Athletics), Article 1 (Designation of Teams by Sex) (“Fairness Act”) (see Section 1 (designating sports programs as being “expressly designated . . . based on biological sex”), Section 2 “Athletic teams or sports designated for ‘females,’ ‘women,’ or ‘girls’ shall not be open to students of the male sex.”)</p>

MISSOURI

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p>See <i>Mo. Rev. Stat. Ann.</i> § 213.065.</p> <p>In Missouri, students in schools are protected from sex-based discrimination, including sexual harassment and sexual violence, through Missouri Human Rights Act (MHRA) which prohibits discrimination based on sex in “places of public accommodation,” which includes public schools. See <i>Mo. Rev. Stat. Ann. § 213.065</i> (“All persons within the jurisdiction of the state of Missouri are free and equal and shall be entitled to the full and equal use and enjoyment within this state of any place of public accommodation, as hereinafter defined, without discrimination or segregation because of . . . sex . . .”).</p>	<p>Missouri state law does not explicitly prohibit discrimination based on pregnancy, parental status, or marital status in educational settings. However, Many educational institutions in Missouri have policies to support pregnant and parenting students, aligning with Title IX requirements. For example, University of Missouri–St. Louis (UMSL) provides accommodations and resources for pregnant and parenting students. Missouri State University offers similar protections against discrimination based on pregnancy and parental status.</p>	<p>Missouri state law does not explicitly prohibit discrimination in educational settings based on gender identity, sexual orientation, sex characteristics, or sex stereotypes. The Missouri Human Rights Act (MHRA) does not include these categories, and efforts to amend it have repeatedly failed to pass. However, in 2019, the Missouri Supreme Court ruled that discrimination based on sex stereotypes is a form of sex discrimination under the MHRA.</p> <p>Educational institutions like the University of Missouri–St. Louis (UMSL) have adopted non-discrimination policies that encompass gender identity and sexual orientation, aligning with federal Title IX protections.</p> <p>In 2023, Missouri signed into law a bill to restrict gender affirming care and sports participation for transgender minors.</p>

SEX-BASED DISCRIMINATION

See [MCA § 49-2-307](#) (Discrimination in Education).

Montana Human Rights Act (MCA, Title 49) prohibits discrimination based on sex in places of public accommodation, including schools. See Montana Code Annotated § 49-2-307 provides that “[i]t is an unlawful discriminatory practice for an educational institution . . . to exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, or privileges of the institution because of . . . sex . . .”

Additionally, educational institutions in Montana, such as the University of Montana, adhere to [Title IX regulations](#).

PREGNANT & PARENTING

See MCA § 49-2-307 (Discrimination in Education).

In Montana, MCA § 49-2-307 provides that “[i]t is an unlawful discriminatory practice for an educational institution . . . to exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, or privileges of the institution because of . . . marital status . . .”

While this statute does not explicitly address pregnancy or parenting status, Montana law offers protections for pregnant individuals through the [Montana Maternity Leave Act](#) (MCA §§ 49-2-310 and 49-2-311). Additionally, educational institutions in Montana, such as the University of Montana and Montana State University, provide accommodations and support for pregnant and parenting students in compliance with federal Title IX regulations.

LGBTQ+

Montana does not have a specific state law that explicitly protects students in educational institutions from discrimination based on sex stereotypes, sex characteristics, gender identity, or sexual orientation. However, the Montana Human Rights Act has been interpreted by the Montana Human Rights Commission to cover gender identity under existing protections against sex-based discrimination.

Educational institutions in Montana, such as the University of Montana, adhere to [federal Title IX](#) regulations and have adopted policies that go beyond state law. For example, the University of Montana prohibits “discrimination, harassment, and retaliation based upon... sex, gender, gender identity, gender expression, or sexual orientation.”

In March 2025, Montana [House Bill 300](#) was signed into law, prohibiting transgender individuals from participating in women’s sports programs and requiring educational institutions to provide sex-segregated facilities based on biological sex at birth. This law is set to take effect on October 1, 2025.

Note

Montana lawmakers proposed amendments to the Montana Human Rights Act. For instance, one bill stated that “biological boys and men should not be allowed to play girls’ and women’s sports.” As of April 2025, the bill has not been yet passed.

NEBRASKA

SEX-BASED DISCRIMINATION

See [NE Rev. Stat. §§ 79-2,116](#) (Schools), [85-9,168](#) (State University, State Colleges, and Postsecondary Education).

Nebraska Revised Statutes (NRS) § 79-2,116 provides that “it shall be an unfair or discriminatory practice for any educational institution to discriminate on the basis of sex in any program or activity.” See also NRS § 85-9,168 (extends similar protections to state universities, colleges, and postsecondary institutions, prohibiting discrimination based on sex).

Additionally, Nebraska State Board of Education has a [policy](#) which states that “all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, sex, or national origin.”

Educational institutions in Nebraska, such as the Nebraska State Colleges, have [policies that prohibit discrimination based on sexual orientation and gender identity](#).

The [ACLU of Nebraska](#) notes that schools cannot enforce dress codes that discriminate based on sex or gender identity, emphasizing that students should be allowed to wear clothing consistent with their gender identity and expression.

PREGNANT & PARENTING

See NE Rev. Stat. §§ 79-2,116 (Schools), 85-9,168 (State University, State Colleges, and Postsecondary Education). In particular, Nebraska Revised Statutes (NRS) § 79-2,116 provides that “it shall be an unfair or discriminatory practice for any educational institution to discriminate . . . on the basis of (a) the pregnancy of any person, (b) the marital status of any person, or (c) the condition of being a parent.” NRS § 85-9,168 extends similar protections to state universities, colleges, and postsecondary institutions, prohibiting discrimination based on sex, including conditions related to pregnancy, marital status, or parental status.

LGBTQ+

Nebraska does not have a specific state law that explicitly protects students in educational institutions from discrimination based on sex stereotypes, sex characteristics, gender identity, or sexual orientation. However, educational institutions in Nebraska, such as the University of Nebraska, adhere to [federal Title IX](#) regulations, which prohibit discrimination based on sex, and have been interpreted to include gender identity and sexual orientation.

For instance, the University of Nebraska’s Title IX policy outlines protections against discrimination and harassment based on sex, gender identity, and sexual orientation.

Additionally, the Nebraska State Board of Education has a policy stating that “all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, sex, or national origin.”

In August 2023, [Governor Jim Pillen signed an executive order](#) defining sex strictly based on biological characteristics at birth, aiming to restrict access to single-sex spaces such as bathrooms and sports teams.

Additionally, the Nebraska School Activities Association (NSAA) requires [transgender students](#) to undergo hormone therapy or sex reassignment surgery and to appear before a Gender Eligibility Committee to participate in sports consistent with their gender identity.

Recent legislative efforts in Nebraska’s, such as [Bill 89](#) introduced in January of 2025, seek to further restrict transgender students’ participation in sports and access to facilities. This bill has not yet passed.

SEX-BASED DISCRIMINATION

See NV Rev. Stat. § 651, “Public Accommodations”

Under Nevada Revised Statutes (NRS) [§ 651.070](#) provides that “[a]ll persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of . . . sexual orientation, sex, or gender identity or expression.”

See also NV Rev. Stat. § 388, “System of Public Instruction.”

In the realm of education, NRS § [388.132](#) articulates the legislative intent to provide a safe and respectful learning environment. The statute ensures that “[Nevada] schools . . . provide a safe and respectful learning environment in which persons of differing . . . gender identities or expressions, sexual orientations, . . . sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential.”

PREGNANT & PARENTING

Nevada does not have a specific state law that explicitly protects students in educational institutions from discrimination based on pregnancy or parenting status. However, institutions within the Nevada System of Higher Education (NSHE), such as the [University of Nevada](#) and [Nevada State University](#), adhere to federal Title IX regulations, which prohibit discrimination on the basis of sex—including pregnancy and parental status—in educational programs and activities.

LGBTQ+

See NV Rev. Stat. § 651, “Public Accommodations”

Nevada Revised Statutes (RSA) [§ 651.070](#) provides that “[a]ll persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of . . . sexual orientation, sex, or gender identity or expression.” This provision ensures that individuals, including students, cannot be denied access to facilities and services in schools or other public spaces based on their gender identity, gender expression, or sexual orientation.

See also NV Rev. Stat. [§ 388](#), “System of Public Instruction.”

In particular, NRS 388.132 provides a legislative declaration concerning safe and respectful learning environment, which ensures that “[Nevada] schools . . . provide a safe and respectful learning environment in which persons of differing . . . gender identities or expressions, sexual orientations, . . . sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential.”

The [Nevada System of Higher Education \(NSHE\)](#) Board of Regents supports anti-bias and anti-discrimination education, including addressing discrimination based on sexual orientation and gender identity.

However, as of April 2025, the Nevada Interscholastic Activities Association (NIAA) has voted to [ban transgender athletes](#) from participating in sports consistent with their gender identity.

NEW JERSEY

SEX-BASED DISCRIMINATION

[New Jersey Law Against Discrimination \(LAD\)](#)

The NJ LAD (N.J. Stat. § 10:5-1 **et seq.**) is one of the broadest civil rights laws and **explicitly covers schools**. It prohibits any educational institution from [discriminating based on sex](#). “Sex” in LAD is defined to include pregnancy and breastfeeding, and the LAD also separately lists “marital or domestic partnership status” (to cover student parents). The LAD applies to public and private schools (except religious). A school that violates LAD can be sued in Superior Court or investigated by the NJ Division on Civil Rights.’

New Jersey’s constitution has an Equal Protection guarantee that courts have used to strike down sex discrimination by public schools (e.g., invalidating an all-male public school policy decades ago).

New Jersey’s Dept. of Education requires each district to have an Affirmative Action Officer to ensure compliance with state and federal non-discrimination rules, including sex equity ([N.J.A.C. 6A:7-1.4](#)).

The LAD [makes sexual harassment in schools unlawful](#) (treated as a form of sex discrimination).

NJ has enacted numerous sex-Equity initiatives – e.g., the “Title IX in Athletics Disclosure” law ([N.J.S.A. 18A:36-26](#)) requiring high schools to report data on gender breakdown in sports, to ensure equal athletic opportunities. Also, [N.J.A.C. 6A:7-1.7](#) requires equitable treatment in course enrollment (no sex bias in encouraging students into STEM vs. humanities, etc.).

Additional information:

[Platkin v. Hanover Township Board of Education & Hanover Public Schools](#)

[Students’ Rights Handbook](#)

PREGNANT & PARENTING

The LAD explicitly forbids discrimination based on “**pregnancy or breastfeeding**” in schools. NJ Stat. [§ 10:5-12\(f\)](#) makes it unlawful for any school to treat a student unfavorably due to pregnancy. New Jersey schools must allow a pregnant student to continue regular classes and activities; any alternative schooling option must be voluntary.

[N.J.A.C. 6A:7-1.7\(c\)](#) requires that “no pregnant student be excluded from the general education program, unless the student requests” alternative placement. If health necessitates it, home instruction is provided, but the student has the right to return after childbirth.

In 2019, [NJ passed a law](#) requiring schools to provide lactation rooms for breastfeeding students (P.L.2019, c.118). Schools must also excuse absences for pregnancy-related health care and parenting needs; NJ’s Dept. of Education issued guidance in 2014 that parenting students be given excused absences for their child’s medical appointments. NJ’s compulsory education law also explicitly states that childbirth or pregnancy is a valid excuse for temporary absence and that student mothers are encouraged to return and graduate.

Many NJ districts have [programs](#) like “STARS” (Schoolage Mothers) that offer on-site childcare and parenting classes. Though not mandated, the state DOE provides grant funding for teen parent programs.

A student who feels discriminated (e.g., not allowed to make up work after maternity leave) can file a complaint under LAD. LAD allows compensatory and punitive damages, giving schools strong incentive to comply.

Additional information:

[Workplace Accommodations For Pregnant, Postpartum, Lactating Employees](#)

LGBTQ+

New Jersey's LAD also expressly covers “**affectional or sexual orientation**” and “**gender identity or expression.**” Since 1992 (orientation) and 2006 (gender identity), the LAD has [banned discrimination on those bases](#) in schools. This means a school that, for instance, expels a student for being gay or refuses to use a trans student's preferred name violates state law and can face legal action.

New Jersey has been proactive: in 2018, NJ passed a law (N.J.S.A. 18A:36-41) requiring the Department of Education to develop [guidelines](#) for schools to address transgender students' needs. The DOE issued guidance directing that students be allowed to participate in gender-segregated activities consistent with their gender identity, be called by their affirmed name/pronouns, and have access to appropriate facilities.

A 2021 law ([P.L.2021, c.32](#)) made it easier for students to **update their names** on school records and diplomas to match their gender identity, ensuring privacy (schools must honor requests to amend records to a new name upon legal change to avoid outing transgender alumni).

New Jersey's Anti-Bullying Bill of Rights Act (ABBRA) is one of the toughest in the nation. It mandates that **bullying motivated by characteristics including sexual orientation**, gender identity or expression be investigated and addressed within strict timelines (N.J.S.A. 18A:37-13.1 *et seq.*). Schools are graded on their anti-bullying compliance.

In 2019, NJ enacted a law requiring that middle and high school social studies [curricula include the contributions of LGBTQ people](#) (P.L.2019, c.6). NJ was among the first to require an LGBTQ-inclusive curriculum.

Notwithstanding its protections, NJ faced some controversies in 2022–2023 with a few school boards **attempting to institute policies to notify parents if a student is LGBTQ**. Courts initially blocked such policies under LAD.

Additional information:

[Transgender Student Guidance](#)

[Bill S1790](#)

[Court Battle Over Policies for Transgender Students](#)

NEW HAMPSHIRE

SEX-BASED DISCRIMINATION

See NH Rev. Stat. § 354-A:27, the “Opportunity for Public Education Without Discrimination a Civil Right”

In particular, New Hampshire Revised Statutes [§ 354-A:27](#) prohibits discrimination in public educational settings based on “sex, gender identity, sexual orientation” and other bases.

PREGNANT & PARENTING

See NH Rev. Stat. § 354-A:27, the “Opportunity for Public Education Without Discrimination a Civil Right”

New Hampshire Revised Statutes Annotated (RSA) § 354-A:27, titled “Opportunity for Public Education Without Discrimination a Civil Right,” prohibits discrimination in public schools based on various protected characteristics, including “familial status.” This statute ensures that no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, or national origin.

The term “familial status” is defined in RSA § 354-A:2, to include individuals who are pregnant or in the process of securing legal custody of a child under 18 years of age. It also encompasses one or more individuals under 18 years of age domiciled with a parent, grandparent, or another person having legal custody, or the designee of such parent or person with written permission.

LGBTQ+

See NH Rev. Stat. § 354-A:27, the “Opportunity for Public Education Without Discrimination a Civil Right”

In particular, New Hampshire Revised Statutes (NH RSA) § 354-A:27 prohibits discrimination based on “sex, gender identity, sexual orientation.” The term “sexual orientation” means “having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality.” The term “gender identity” means “means a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.”

However, New Hampshire Revised Statutes [§ 193:41](#), enacted in 2024, imposes restrictions on transgender students’ participation in school sports. The statute mandates that athletic teams or sports designated for females, women, or girls shall not be open to students of the male sex, as determined by the student’s biological sex at birth. This effectively excludes transgender girls from participating in female-designated sports teams.

Note, in September 2024, the U.S. District Court for the District of New Hampshire issued a preliminary injunction, finding NH RSA § 193:41 both unconstitutional and violative of Title IX, thereby temporarily halting its enforcement. As of April 2025, the legal status of this statute remains contested in the district court.

Additional information:

[Tirrell v. Edelblut](#)

NEW MEXICO

SEX-BASED DISCRIMINATION

See NMSA § 258-1-7.

In New Mexico, the [Human Rights Act](#) prohibits discrimination based on sex in public accommodations, which include public schools. Particularly, New Mexico Stat. § 258-1-7 states that it is “an unlawful discriminatory practice for . . . any person in any public accommodation to make a distinction, directly or indirectly, in offering or refusing to offer its services, facilities, accommodations or goods to any person because of . . . sex, sexual orientation, gender identity . . .”.

Likewise, educational institutions in New Mexico, such as [University of New Mexico](#), have policies protecting students from sex discrimination.

PREGNANT & PARENTING

As of April 2025, New Mexico does not have a specific state law that explicitly protects students from discrimination based on pregnancy or parenting status. However, the New Mexico Human Rights Act (NMHRA) prohibits discrimination in public accommodations—including public schools—based on sex, sexual orientation, gender identity, and spousal affiliation. See NMSA § 258-1-7 (stating that it is “an unlawful discriminatory practice for . . . any person in any public accommodation to make a distinction, directly or indirectly, in offering or refusing to offer its services, facilities, accommodations or goods to any person because of . . . spousal affiliation . . .”). While “spousal affiliation” is a protected category, the NMHRA does not explicitly mention pregnancy or parenting status in the context of public accommodations.

However, some educational institutions in New Mexico and New Mexico Public Education Department have policies with protections or accommodations for pregnant or parenting students. For example, University of New Mexico (UNM) has implemented [policies to support pregnant and parenting students](#).

LGBTQ+

See NMSA § 258-1-7.

The New Mexico Human Rights Act (NMHRA) explicitly prohibits discrimination in public accommodations—including public schools—based on sex, sexual orientation, gender identity, pregnancy, childbirth, or related medical conditions. Particularly, New Mexico Stat. § 258-1-7 states that it is “an unlawful discriminatory practice for . . . any person in any public accommodation to make a distinction, directly or indirectly, in offering or refusing to offer its services, facilities, accommodations or goods to any person because of . . . sex, sexual orientation, gender identity . . .”.

Likewise, educational institutions in New Mexico, such as University of New Mexico, have [policies protecting students from discrimination](#) based on sex characteristics, gender identity, sexual orientation.

As of April 2025, New Mexico does not have a law banning transgender students from participating in school sports consistent with their gender identity. The New Mexico Activities Association (NMAA) allows students to compete as the gender listed on their amended birth certificate. New Mexico law permits individuals to amend the gender marker on their birth certificates, facilitating transgender students’ participation in sports aligning with their gender identity.

Additional information:

[New Mexico’s Equality Profile](#)

[NM bill to bar trans women from women’s sports effectively defeated](#)

SEX-BASED DISCRIMINATION

See New York [Article 129-B Implementation By Colleges and Universities of Sexual Assault, Dating Violence, Domestic Violence and Stalking Prevention and Response Policies and Procedures](#) (“Enough-Is-Enough”).

In particular, Section **6440.5** (requiring that the “protections in this article apply regardless of . . . sex, gender identity or expression, sexual orientation, . . . predisposing genetic characteristics, . . . [or] domestic violence victim status”), Section **6443** (students’ Bill of Rights), Section **6444** (regarding rights in connection with reporting sexual violence, domestic abuse, etc.).

See New York Consolidated Laws, Chapter 16, Title 1, [Article 2 Dignity for All Students Act](#).

In particular, **Section 12** (“No student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property or at a school function.”), **Section 13** (outlining requirements for the reporting and response to allegations of harassment, bullying, or discrimination on the basis of, inter alia, “sexual orientation, gender, and sex”), **Section 14(5)** (requiring school professionals to have training on “the social patterns of harassment, bullying and discrimination . . . based on a person’s actual or perceived . . . sexual orientation, gender or sex”).

Additional information:
[Chapter 76 of Article 129-B](#)
[State-Level Look at Title IX Policies](#)

PREGNANT & PARENTING

See New York Article 129-B Implementation By Colleges and Universities of Sexual Assault, Dating Violence, Domestic Violence and Stalking Prevention and Response Policies and Procedures (“Enough-Is-Enough”)

In particular, Section 6440.5 (requiring that the “protections in this article apply regardless of . . . familial status, [or] pregnancy”), Section 6443 (students’ Bill of Rights), Section 6444 (regarding rights in connection with reporting sexual violence, domestic abuse, etc.).

There does not appear to be a state law specifically addressing the rights of students regarding pregnancy and parenting, including reasonable accommodations. However, there are state laws related to general rights to breast feed and employee/employer rights for pregnant/parenting persons. See, e.g., New York Civil Rights Law Article 7, Section 79-E (“a mother may breast feed her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether or not the nipple of the mother’s breast is covered during or incidental to the breast feeding”); New York State Executive Law Article 15, Human Rights Law, Section 292 at 21-f (regarding pregnancy), 26 (regarding familial status), Section 296(3) at 3(a) (unlawful to discriminate by not providing reasonable accommodations for pregnant/parenting employees); New York City Department of Education Regulation of the Chancellor A-740 regarding Pregnant and Parenting Students and Reproductive Health Privacy; New York State Labor Law Section 206-c (regarding accommodations to breast feed, reasonable break time).

LGBTQ+

See New York Article 129-B Implementation By Colleges and Universities of Sexual Assault, Dating Violence, Domestic Violence and Stalking Prevention and Response Policies and Procedures (“Enough-Is-Enough”)

In particular, Section 6440.5 (requiring that the “protections in this article apply regardless of . . . sex, gender identity or expression, sexual orientation, . . . [or] predisposing genetic characteristics”), Section 6443 (students’ Bill of Rights), Section 6444 (regarding rights in connection with reporting sexual violence, domestic abuse, etc.).

See New York Consolidated Laws, Chapter 16, Title 1, Article 2 Dignity for All Students Act

In particular, **Section 12** (“No student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property or at a school function.”), **Section 13** (outlining requirements for the reporting and response to allegations of harassment, bullying, or discrimination on the basis of, inter alia, “sexual orientation, gender, and sex”), **Section 14(5)** (requiring school professionals to have training on “the social patterns of harassment, bullying and discrimination . . . based on a person’s actual or perceived . . . sexual orientation, gender or sex”).

There does not appear to be a state law specifically addressing the gender rights of students as it relates to athletics. Such regulations are currently made by the New York State Education Department, see, e.g., Proposed Amendment to Sections 135.1, 135.4 and 135.5 of the Regulations of the Commissioner of Education Related to Mixed Competition and Extra Class Athletic Activities.

NORTH CAROLINA

SEX-BASED DISCRIMINATION

[North Carolina General Statutes Title 115C-407.15](#) prohibits “[b]ullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as ... gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation,..., or by association with a person who has or is perceived to have one or more of these characteristics” and mandates that “[n]o student or school employee shall be subjected to bullying or harassing behavior by school employees or students”.

[North Carolina General Statutes Title 14-27.32](#) mandates that “[i]f a defendant, who is a teacher, school administrator, student teacher, school safety officer, or coach... engages in vaginal intercourse or a sexual act with a victim who is a student... the defendant is guilty of a Class G felony...”

[North Carolina General Statutes Chapter 14, Article 7B](#) mandates that “[a] person is guilty of first-degree statutory sexual offense if the person engages in a sexual act with a victim who is a child under the age of 13 years...”

LGBTQ+

[North Carolina General Statutes Title 115C-407.15](#) prohibits “[b]ullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as ... gender identity, physical appearance, sexual orientation, ... or by association with a person who has or is perceived to have one or more of these characteristics” and mandates that “[n]o student or school employee shall be subjected to bullying or harassing behavior by school employees or students.”

PREGNANT & PARENTING

[North Carolina General Statutes Title 115C-375.5](#) states that “[p]regnant and parenting students shall receive the same educational instruction or its equivalent as other students. A local school administrative unit may provide programs to meet the special scheduling and curriculum needs of pregnant and parenting students. However, student participation in these programs shall be voluntary, and the instruction and curriculum must be comparable to that provided other students.”

NORTH DAKOTA

SEX-BASED DISCRIMINATION

North Dakota does not have a state-level Title IX analogue. The North Dakota Human Rights Act ([NDCC Chapter 14-02.4](#)) covers discrimination in employment, housing, public services, and public accommodations – but notably **does not list sex as a protected class** in public accommodations (and it omits sexual orientation/gender identity entirely).

Therefore, protections against sex discrimination for students in ND public schools rely almost entirely on [federal law](#) (Title IX and the U.S. Constitution).

There is a North Dakota Dept. of Public Instruction rule that every school district comply with [federal non-discrimination laws](#), but no broader state mandate.

Recent Legislation

Rather than protecting against sex discrimination, recent ND laws have focused on defining sex in restrictive ways. In 2023, North Dakota enacted SB 2231 which amended [NDCC 14-02.4-02](#) to specify that “‘sex’ means a person’s immutable biological sex, as determined by anatomy and genetics at birth.”

This law was in response to interpretations that sex discrimination laws cover gender identity; ND explicitly rejected that, narrowing “sex” to assigned sex. It doesn’t directly mention schools, but it signals state policy.

Sexual Harassment

North Dakota has no state statute requiring K–12 schools to have sexual harassment policies, but many do so under federal obligations. The state’s anti-bullying law (NDCC 15.1-19-17) is generic and doesn’t enumerate sex or other traits, though one could categorize severe sexual harassment as bullying. **In effect, North Dakota lacks affirmative state protections against sex discrimination in education.**

Additional information:

[Instead of Helping North Dakotans to ‘Find the Good Life,’ Governor Burgum Decided to Sign Away the Ability for Transgender People to Safely and Openly Exist](#)

[The state of sexual education programs in North Dakota](#)

PREGNANT & PARENTING

North Dakota law does not contain any specific statute or rule addressing pregnant or parenting students’ rights. Such students are safeguarded by Title IX’s blanket prohibition on pregnancy discrimination. ND’s compulsory attendance law ([NDCC 15.1-20-01](#)) makes schooling mandatory to 16, with no exception for pregnancy – thus schools cannot push out a pregnant student legally.

Local Practice

In absence of state directives, how pregnant teens are handled is left to school district policy. Many ND school districts treat [pregnancy like a temporary disability](#): they provide homebound instruction if a doctor certifies the student must be on bedrest or recovery (just as they would for, say, a student recovering from surgery). The student is allowed to return and is given make-up work opportunities.

Student Parents

North Dakota has no law for excused absences due to a student’s own child’s needs. There are a couple of alternative high schools (like [Bismarck’s Adult Learning Center](#)) that teen parents might opt for due to flexible scheduling, but they cannot be forced there.

Daycare Support

The state government via Dept. of Human Services sometimes provides [daycare assistance](#) to teen parents to help them stay in school, but again, that’s a social service, not an education statute.

North Dakota’s recent legislative focus on schools has not been on pregnant students but on cultural issues (like bathroom and pronoun usage for transgender students). The lack of attention to pregnant/parenting students suggests schools continue following federal law quietly.

Additional information:

[Code of Student Life](#)

[Pregnancy & Parenting](#)

[North Dakota House passes bill banning shared gender-neutral bathrooms, sinks](#)

LGBTQ+

North Dakota in 2023 enacted a slate of laws that directly affect LGBTQ students, generally in a negative way.

No Protection in ND Human Rights Act

Efforts to add sexual orientation/gender identity to ND's Human Rights Act have failed repeatedly. Thus, there is no state-level non-discrimination law for LGBTQ in education or other areas.

Athletics

In April 2023, North Dakota passed two laws (HB 1249 and HB 1489) banning transgender females from female sports teams at K–12 and college levels. These effectively amended NDCC Title 15 to require sex-specific teams based on birth sex. As a result, ND is now one of the states where by law girls' teams are closed to anyone not "female" at birth. This is ostensibly a sex-specific policy; while aimed at trans girls, it also technically reinforces sex segregation in sports generally (which is allowed under Title IX for contact sports).

Transgender Student Restrictions

In 2023, ND passed mandatory outing and facility laws. Under the new [pronoun law \(House Bill 1522\)](#), public school staff **must** inform a parent or guardian if a student identifies as transgender (i.e., if the student asks to be called by a different name or pronoun). The law also forbids school staff from using a student's preferred pronouns if those don't align with the student's sex assigned at birth, unless a parent provides explicit permission. Additionally, ND now requires that students use the restroom or locker room corresponding to the sex on their birth certificate – schools may offer a single-occupancy option, but may not allow a trans girl in the girls' room or vice versa (this was part of HB 1522 or a closely related bill). Violation of these could subject schools to lawsuits or loss of state funding (HB 1522 carries penalties for non-compliance).

Curriculum

A bill to ban any mention of sexual orientation or gender identity in K–5 classrooms (akin to Florida's law) was introduced ([HB 1473](#)) but did not pass in 2023. Even so, some ND school boards have preemptively removed or restricted LGBTQ-themed library books, reflecting pressure.

Bullying

North Dakota's anti-bullying statute ([NDCC 15.1-19-17](#)) does not list categories, so while it covers bullying generally, there's no special mention of LGBTQ students.

Additional information:

[Failure of North Dakota's anti-discrimination bill spurs mixed reaction](#)

[North Dakota governor signs bill banning transgender girls from female-designated sports teams](#)

[North Dakota weighs ban on 'sexually explicit' library books](#)

SEX-BASED DISCRIMINATION

Ohio does not have a specific state statute prohibiting sex discrimination in education. The Ohio Civil Rights Act (Ohio Rev. [Code § 4112](#)) covers employment, housing, and public accommodations, but it does not explicitly list schools or educational programs. (Public schools might be considered “public accommodations,” but traditionally ORC 4112 has been applied to businesses and services, not school admissions or treatment of students.) Thus, Ohio relies on [federal Title IX](#) and the Equal Protection Clause (Ohio Const. Art. I, §2) to ensure sex equality in schools.

The Ohio Department of Education (ODE) has some [regulations incorporating federal requirements](#) – for example, [O.A.C. 3301-35-02](#) requires school districts to be non-discriminatory on the basis of sex in their operations. In practice, every Ohio school district has a Title IX coordinator and policy because federal law requires it.

Sexual Harassment & Violence

Ohio has a law (Ohio Rev. [Code § 3313.666](#)) requiring districts to have policies prohibiting harassment, intimidation, or bullying, which includes electronic acts. While it does not enumerate protected classes, many districts’ policies list sex and even orientation as factors. Additionally, Ohio’s health curriculum standards include instruction on dating violence prevention (known as Tina Croucher Act, ORC 3313.60). Students who face severe sexual harassment have, in some cases, sued under the Ohio Constitution’s Equal Protection or Title IX, as Ohio provides no independent statutory cause.

PREGNANT & PARENTING

Ohio does not have state laws specifically focused on pregnant or parenting students, but such students are protected by federal law and accommodated under general state education policies. Ohio Admin [Code 3301-35-04](#) requires that students with “special needs” receive accommodations – a pregnant student, particularly if experiencing complications, would fit in that framework.

Ohio law ([ORC 3321.04](#)) gives local boards discretion to excuse absences for “good cause.” Most districts consider pregnancy/childbirth a good cause. For example, Columbus City Schools’ [attendance policy](#) explicitly lists pregnancy-related medical appointments as excused absences. After childbirth, students typically receive home instruction for a period (often 6 weeks) as arranged by the district.

Ohio Rev. Code [§ 3313.64](#) allows schools to count students on home instruction in their attendance for funding.

Ohio’s State Board issued guidance in 1980 that “[no student shall be expelled or excluded from any program due to pregnancy.](#)” This guidance, though old, set a precedent that most Ohio schools follow: pregnant students stay in regular classes as long as medically able; if any alternative is offered (like an online option), it’s voluntary.

LGBTQ+

Ohio has no state statute explicitly protecting students from discrimination based on sexual orientation or gender identity. Bills to add those categories to Ohio's anti-discrimination law (the proposed [Ohio Fairness Act](#)) have not passed. Locally, some cities (Columbus, Cleveland, etc.) have ordinances against anti-LGBTQ discrimination, but those generally cover employment/housing and possibly private schools as public accommodations, not the internal practices of public school districts.

Bullying Law

Ohio's anti-bullying statute ([ORC 3313.666](#)) does not enumerate categories, though an earlier version (2009) encouraged listing traits including sexual orientation/gender identity in district policies. Some districts do enumerate – for instance, Cincinnati Public Schools' anti-bullying policy explicitly protects LGBTQ students – but it's not mandated. **“Don't Say Gay”**.

Attempts

In 2023, Ohio legislators introduced [HB 8](#), a “Parents' Bill of Rights,” which would require schools to notify parents if their child is questioning gender identity or seeking a name/pronoun change, and would bar K–3 instruction on sexual orientation or gender identity. As of 2025, this bill has not become law.

Sports

Ohio's High School Athletic Association (OHSAA) follows Title IX principles – equal opportunities for girls and boys. (In 2023 the legislature attempted to impose a trans sports ban – see LGBTQ column – but as of early 2025 that is not state law due to veto.) **Notably**, Ohio's governor in Dec 2022 vetoed a bill that would have combined a transgender sports ban with other provisions.

So as of now, **Ohio has no law banning trans athletes statewide**, and the Ohio High School Athletic Association's policy (which requires transgender girls to undergo at least one year of hormone therapy and meet other criteria to compete in girls' sports) remains in effect.

In March 2025, Governor Mike DeWine signed **Senate Bill 1** into law, enacting extensive changes to the state's higher education system. It also requires universities to declare neutrality on controversial topics and mandates a civics literacy course for all bachelor's degree students by 2030.

Additional information:

[Ohio House Passes Multiple Anti-LGBTQ+ Bills; Human Rights Campaign Condemns Passage & Urges Against Senate Passage](#)

[Ohio's Republican governor vetoes trans care restriction and sports ban](#)

[Ohio High School Athletic Association Guidance](#)

[DeWine signs Senate Bill 1, a major higher ed overhaul](#)

SEX-BASED DISCRIMINATION

25 Okl. St. § 1101-1601 prohibits discrimination “on the basis of race, color, national origin, sex, religion, creed, age, disability or genetic information” in employment, public accommodations, and housing, but apparently does not extend to education.

Oklahoma House Bill 1775 (codified at § 70-24-157(A)) and its implementing rules (Oklahoma Administrative [Code § 210:10-1-23](#)) seek to prohibit mandatory sex, gender, and racial diversity training in higher education and severely restrict teachings related to diversity in K-12 schools. However, significant parts of HB 1775 are currently enjoined. *Black Emergency Response Team v. Drummond*, 737 F. Supp. 3d 1136 (W.D. Okla. 2024). The case is currently pending on appeal before the 10th Circuit.

The Oklahoma State Department of Education provides guidelines to schools to ensure compliance with Title IX. Additionally, the Oklahoma Administrative Code §210:10-1-23 mandates that educational institutions adopt policies prohibiting discrimination, including on the basis of sex, and outlines procedures for addressing complaints.

PREGNANT & PARENTING

The definition of discrimination on the basis of sex does include pregnancy, but again is not applicable to education. See 25 Okl. St. § 1301(6).

Senate Bill 408 has been introduced with the purpose to strengthen protections for pregnant students, but has not yet become law.

The Oklahoma Senate conducted studies to assess accommodations provided to these students in high schools, colleges, and the CareerTech system. The studies aimed to identify ways the Legislature could further assist young parents in achieving their educational goals.

Educational institutions, such as [Oklahoma State University, adhere to Title IX requirements](#) by providing accommodations to [pregnant students](#). These accommodations include excused absences for pregnancy and ensuring that students can return to the same academic status as before their medical leave began.

Additional information:

[Sen. Boren to host study on education accommodations for pregnant students; seeks input from impacted women | Oklahoma Senate](#)

[Committee studies accommodations provided to Oklahoma’s pregnant students and young families | Oklahoma Senate](#)

LGBTQ+

The definition of discrimination on the basis of sex does **not** include sexual orientation.

70 Okl. St. § 27-106, which was signed into law in March 2022, is known as the “**Save Women’s Sports Act**.” It requires schools to designate sports teams based on biological sex. Before each school year, a parent or legal guardian of a student athlete must sign an affidavit acknowledging the biological sex of the student at birth to determine their eligibility for sports teams.

70 Okl. St. § 1-125 requires public schools to designate bathrooms based on biological sex, though this law has been the subject of recent litigation. See, e.g., [*Bridge v. OK Dept. Ed.*](#)

There are also administrative rules requiring schools to notify parents if their child adopts a name or pronouns different than those assigned at birth and provide advance notice for any sex education so that parents may inspect and object to such materials for their student. See Oklahoma Administrative Code § 210:10-2-1 et seq.

Oklahoma has enacted legislation that affects LGBTQ+ students in educational settings. [Oklahoma legislature considering 54 bills targeting LGBTQ+ issues](#): List Bill 615, passed in 2022, bans students at K-12 schools from using the bathroom or facility that corresponds with their gender identity. Additionally, transgender girls and women are prohibited from participating in girls’ and women’s sports at public schools and universities.

Legal analyses have indicated that discrimination against transgender students may constitute sex discrimination under Title IX and the Equal Protection Clause. Courts have held that such discrimination is prohibited.

[Senate Bill 796 \(2025\)](#): This bill prohibits Oklahoma public colleges and universities from using state-appropriated funds to support DEI positions, activities, or programming. It also bans the requirement of DEI statements in hiring processes.

Additional information:

[This new Oklahoma executive order narrowly defines ‘woman’ | PBS News](#)

[Know Your Rights | OK ACLU](#)

[Legal Issues Regarding Transgender Students in Oklahoma Schools - Oklahoma Bar Association](#)

[Transgender Public School Students Sue to Block Discriminatory Oklahoma School Facilities Law | American Civil Liberties Union](#)

[Fowler v. Stitt](#)

[Oklahoma governor to see bill banning DEI initiatives at state-funded universities](#)

OREGON

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p>ORS § 659.850 prohibits discrimination in education on the basis of sex, sexual orientation, and gender identity. § 659.860 provides an individual cause of action to enforce § 659.850.</p> <p>See also OAR § 581-021-0045 (prohibiting discrimination in education).</p> <p>Schools are required to adopt and make available policies prohibiting sexual harassment. ORS § 342.700 <i>et seq.</i>; see also ORS §§ 350.330-350.347 (higher education).</p> <p>Additional information: Oregon Civil Rights Laws</p>	<p>ORS § 659.850 prohibits discrimination in education on the basis of sex, sexual orientation, and gender identity. § 659.860 provides an individual cause of action to enforce § 659.850.</p> <p>ORS § 333.640 requires the State Board of Education to establish services for pregnant or parenting students, e.g., informing pregnant or parenting students of available social services, adapting educational programs, etc. ORS § 333.640(3) specifically prohibits discrimination based on pregnancy or parental status.</p>	<p>ORS § 659.850 prohibits discrimination in education on the basis of sex, sexual orientation, and gender identity. § 659.860 provides an individual cause of action to enforce § 659.850.</p> <p>There are multiple statutes, administrative rules, and programs designed to protect LGBTQ+ students in Oregon. See OAR § 581-022-2050 (requiring gender-inclusive sex education); ORS § 339.347, OAR § 581-022-2312 (requiring education providers to adopt policies that address bias incidents and displays of symbols of hate); see also “Supporting Gender Expansive Students.”</p> <p>In January 2025, Oregon introduced several bills related to DEI and transgender rights:</p> <p>(1) HB 2439: Proposes removing gender identity from the list of protected statuses in various Oregon laws</p> <p>(2) HB 2037, SB 618, SB 787: These bills would require schools to designate sports teams by sex assigned at birth, effectively banning transgender individuals from participating in sports consistent with their gender identity.</p>

PENNSYLVANIA

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING	LGBTQ+
<p>The Pennsylvania Fair Educational Opportunities Act (PFEOA), 24 P.S. §§ 5001—5010, and Pennsylvania Human Relations Act (PHRA), 43 P.S. §§ 951-963, prohibit discrimination in education on the basis of sex. (43 P.S. § 954(l) includes “kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses and all educational institutions under the supervision of this Commonwealth” in the definition of “public accommodation.”) See also 22 Pa. Code § 12.4 (prohibiting discrimination).</p> <p>Pennsylvania Human Relations Act (PHRA) offers protection against sex discrimination in educational institutions. The act prohibits discrimination based on sex. The Pennsylvania Human Relations Commission enforces this act and provides avenues for students to file complaints if they experience discrimination.</p> <p>Additional information: PHR Policy & Law</p>	<p>“Sex” as used in the PFEOA & PHRA includes pregnancy. 16 Pa. Code § 41.206.</p> <p>22 Pa. Code § 12.1 prohibits excluding a student from public schools because they are pregnant. There are also regulations concerning the confidentiality of student health records.</p> <p>Pennsylvania law mandates that schools provide reasonable accommodations to pregnant and parenting students to ensure their continued education. House Bill 994 requires school entities to eliminate policies and practices that create barriers for these students, facilitating their enrollment, attendance, and participation in school activities.</p> <p>The Pennsylvania Department of Education state that pregnant and parenting students must satisfy the Commonwealth’s compulsory school attendance requirements. However, these students may obtain an excuse from attending school for reasons deemed valid, such as pregnancy. Schools are encouraged to provide support to ensure that pregnant and parenting students can continue their education without discrimination.</p> <p>Additional information: Title IX at 40 Back to School Guide</p>	<p>“Sex” as used in the PFEOA & PHRA includes gender, affectional or sexual orientation, and intersex. 16 Pa. Code § 41.206.</p> <p>Regulations implementing the PFEOA which extend the prohibition of “sex” discrimination to include LGBTQ+ people are the subject of recent litigation.</p> <p>The Pennsylvania Human Relations Commission has clarified that discrimination based on sexual orientation, transgender identity, gender transition, gender identity, and gender expression is considered unlawful sex discrimination under the PHRA. This interpretation provides LGBTQ+ students with protections against discrimination in educational settings.</p> <p>However, it’s important to note that there have been legal challenges to these protections. A lawsuit filed in the Commonwealth Court challenges the Commission’s authority to interpret “sex” to include sexual orientation and gender identity, arguing that such interpretations exceed legislative intent.</p> <p>House Bill 987 (2025): Introduced by Republican State Representative Stephanie Scialabba, this bill aims to eliminate DEI offices at all state-funded colleges and universities.</p>

RHODE ISLAND

SEX-BASED DISCRIMINATION

Rhode Island General Laws [Title 16-38-1.1](#) mandates that “[d]iscrimination on the basis of basis of sex is prohibited in all public elementary and secondary schools in the state and in all schools operated by the board of regents for elementary and secondary education. This prohibition shall apply to employment practices, admissions, curricular programs, extracurricular activities including athletics, counseling, and any and all other school functions and activities” and “(d)iscrimination on the basis of sex is prohibited in all public colleges, community colleges, universities, and all other public institutions of higher learning in the state which are operated by the board of governors for higher education. This prohibition shall apply to employment, recruitment, and hiring practices, employment benefits, admissions, curricular programs, extracurricular activities including athletics, counseling, financial aid including athletic grants-in-aid, student medical, hospital, and accident or life insurance benefits, facilities, housing, rules and regulations, research, and any and all other school functions and activities.”

[2024 Rhode Island General Laws Title 16-76-2](#) mandates that “[t]he health and safety of every student at the (name of institution) is of utmost importance...at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct... drug-use policies occurring at or near the time of the commission of the incident of violence.”

PREGNANT & PARENTING

[2024 Rhode Island General Laws Title 40-19-2](#) requires that “[t]he state, under the supervision of the department of human services, shall establish the statewide comprehensive adolescent pregnancy and parenting program... providing both school-based and community-based services including, but not necessarily limited to... support services to access adequate parenting programs, family involvement, nutrition programs, transportation, clothing, childcare programs and job training and employment opportunities.”

[2024 Rhode Island General Laws Title 28-5-7.4](#) mandates that “[i]t shall be an unlawful employment practice ... to refuse to reasonably accommodate an employee’s or prospective employee’s condition related to pregnancy, childbirth, or a related medical condition, including, but not limited to, the need to express breast milk for a nursing child, if she so requests...”

LGBTQ+

Rhode Island General Laws [Title 16-38-1.1](#) mandates that “[d]iscrimination on the basis of basis of sex is prohibited in all public elementary and secondary schools in the state and in all schools operated by the board of regents for elementary and secondary education. This prohibition shall apply to employment practices, admissions, curricular programs, extracurricular activities including athletics, counseling, and any and all other school functions and activities” and “(d)iscrimination on the basis of sex is prohibited in all public colleges, community colleges, universities, and all other public institutions of higher learning in the state which are operated by the board of governors for higher education. This prohibition shall apply to employment, recruitment, and hiring practices, employment benefits, admissions, curricular programs, extracurricular activities including athletics, counseling, financial aid including athletic grants-in-aid, student medical, hospital, and accident or life insurance benefits, facilities, housing, rules and regulations, research, and any and all other school functions and activities.”

On February 28, 2025, Rhode Island Attorney General Peter F. Neronha and Commissioner of Elementary and Secondary Education Angélica Infante-Green issued a guidance that addresses concerns arising from recent federal actions, including Executive Orders and a U.S. Department of Education letter, that have prompted questions about the state’s obligations regarding diversity, equity, inclusion (DEI), and LGBTQ+ student rights.

The [guidance](#) clarifies that Rhode Island’s public schools are not required to alter existing policies or practices that align with current state and federal laws. It emphasizes that recent federal directives lack clear definitions, may conflict with established legal precedents, and have been partially enjoined by a federal court. Therefore, any premature compliance with these federal actions could contradict state and federal law. The document reaffirms Rhode Island’s commitment to providing a safe and inclusive educational environment for all students, regardless of their background or identity.

SOUTH CAROLINA

SEX-BASED DISCRIMINATION

In South Carolina, protections against sex-based discrimination are primarily governed by Title IX of the Education Amendments of 1972.

[South Carolina Code of Laws Title 59-105-10-50](#) states that “[t]he serious nature and consequences of sexual assault and the particular problems caused by sexual assault within a campus community prompt the General Assembly to encourage institutions of higher learning to develop, with input from students, faculty, and staff, a comprehensive sexual assault policy to address prevention and awareness of sexual assault and to establish procedures that address campus sexual assaults. The General Assembly further encourages institutions of higher learning to make all reasonable efforts to support a student who is the victim of a sexual assault in a full report of the sexual assault to appropriate law enforcement authorities, including institutional and local police, and to make all reasonable efforts to provide assistance to and to cooperate with the student as the report is investigated and resolved.”

[South Carolina Code of Laws Title 59-32](#) (the 2014 “Erin’s Law”) requires “...grades K-12 instruction in the prevention of child sexual abuse.”

PREGNANT & PARENTING

South Carolina does not have specific state law that explicitly protects student from discrimination based on pregnancy or parenting status. Education institutions in South Carolina adhere to [Title IX](#) regulations to support pregnant and parenting students.

LGBTQ+

In South Carolina, there is no specific state law that explicitly protects students from discrimination based on sex stereotypes, sex characteristics, gender identity, or sexual orientation, including in athletics. Recent legislative actions have tried to “move South Carolina forward, closer to a state where LGBTQ+ people are respected and protected no matter where they live.”

In particular, [LGBTQ-Inclusive Nondiscrimination Bill](#) proposes that [i]n most of South Carolina, people remain vulnerable to discrimination in key areas of life — and it’s time for that to change. This bill would prohibit discrimination based on sexual orientation, gender identity, and natural hairstyle in employment, housing, and places of public accommodation. No one should face discrimination because of who they are, who they love, or how they express themselves.

This inclusive nondiscrimination bill would move South Carolina forward, closer to a state where LGBTQ+ people are respected and protected no matter where they live. This bill takes a particular look at the experiences of LGBTQ people with intersecting identities and will be especially impactful for BIPOC communities and transgender people, who disproportionately experience discrimination and violence in South Carolina.”

SOUTH DAKOTA

SEX-BASED DISCRIMINATION

South Dakota has several state laws that address discrimination based on sex, including provisions related to sexual violence and sexual harassment in education and public accommodation.

South Dakota Codified Law Title 20-13-22 prohibits “[e]ducational institutions’ unfair or discriminatory practices” “[t]o discriminate in any manner in its full use or in its benefits, or in its services against any individual because of ... sex ...”, [t]o include, expel, limit, or otherwise discriminate against any individual seeking admission as a student, or an individual enrolled as a student because of ... sex ...”.

South Dakota Codified Laws 20-13-23 states that “[i]t shall be an unfair or discriminatory practice for any person engaged in the provision of public accommodations because of ... sex..., to fail or refuse to provide to any person access to the use of and benefit from the services and facilities of such public accommodations; or to accord adverse, unlawful, or unequal treatment to any person with respect to the availability of such services and facilities, the price or other consideration therefor, the scope and equality thereof, or the terms and conditions under which the same are made available, including terms and conditions relating to credit, payment, warranties, delivery, installation, and repair.”

South Dakota Codified Laws 22-22-7 defines sexual contact with child under sixteen as a criminal offense (felony or misdemeanor).

“Any person, sixteen years of age or older, who knowingly engages in sexual contact with another person, other than that person’s spouse if the other person is under the age of sixteen years is guilty of a Class 3 felony. If the victim is at least thirteen years of age and the actor is less than five years older than the victim, the actor is guilty of a Class 1 misdemeanor. Notwithstanding [§ 23A-42-2](#), a charge brought pursuant to this section may be commenced at any time before the victim becomes age twenty-five or within seven years of the commission of the crime, whichever is longer.”

Educational institutions in South Dakota, such as those governed by the South Dakota Board of Regents, have established policies to prevent sexual assault and support victims, aligning with [Title IX](#) requirements. In particular, “[t]he South Dakota Board of Regents is committed to preventing sexual assault and helping victims recover.”

PREGNANT & PARENTING

South Dakota does not have specific state law that explicitly protects student from discrimination based on pregnancy or parenting status. Education institutions in South Dakota (e.g., University of South Dakota) adhere to [Title IX](#) regulations to support pregnant and parenting students.

LGBTQ+

South Dakota Codified Laws 13-67-1 requires that all school-sponsored athletic teams and events be designated based on biological sex at birth as male, female, or coeducational/mixed, and only female students may participate in teams designated for females. The law also defines biological sex as recorded on a student’s birth certificate issued at or near birth.

“Any interscholastic, intercollegiate, intramural, or club athletic team, sport, or athletic event that is sponsored or sanctioned by an accredited school, school district, an activities association or organization, or an institution of higher education under the control of either the Board of Regents or the Board of Technical Education must be designated as one of the following, based on the biological sex at birth of the participating students:

- (1) Females, women, or girls;
- (2) Males, men, or boys; or
- (3) Coeducational or mixed.

Only female students, based on their biological sex, may participate in any team, sport, or athletic event designated as being for females, women, or girls.

For purposes of this section, biological sex is either female or male and the sex listed on the student’s official birth certificate may be relied upon if the certificate was issued at or near the time of the student’s birth. The failure to comply with this section is a limited waiver of sovereign immunity for relief authorized under this chapter.”

SEX-BASED DISCRIMINATION

“(a) No person shall be refused admission into or be excluded from any public school in this state on account of race, creed, color, sex or national origin.”
Tenn. Code Ann. § 49-6-3109.

Individual school districts must adopt a policy “prohibiting harassment, intimidation, bullying or cyber-bullying.” This includes a procedure for reporting and investigating such behavior and policies for remedial action.
Tenn. Code Ann. § 49-6-4503.

“(3) “Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance; and:

(A) If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of:

- (i) Physically harming a student or damaging a student’s property;
- (ii) Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student’s property;
- (iii) Causing emotional distress to a student or students; or
- (iv) Creating a hostile educational environment; or

(B) If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.”

Tenn. Code Ann. § 49-6-4502; see also Shelby-Memphis School District [Policy on Harassment](#). (“the following conduct will not be tolerated Conduct aimed at defining a student in a sexual manner.

- (i) Conduct impugning the character of a student based on allegations of sexual promiscuity.
- (ii) Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status”).

“Except as otherwise provided in this chapter, it is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation, resort or amusement, as defined in this chapter, on the grounds of race, creed, color, religion, sex, age or national origin.”
Tenn. Code Ann. § 4-21-501

“(15) “Places of public accommodation, resort or amusement” includes any place, store or other establishment, either licensed or unlicensed, that supplies goods or services to the general public or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds...”
Tenn. Code Ann. § 4-21-102-15.

PREGNANT & PARENTING

“(b) Notwithstanding any law to the contrary, if a student is unable to attend regular classes because of illness, injury or pregnancy and if the student has participated in a program of hospital or homebound instruction administered or approved by the LEA, then the student shall not be penalized for grading purposes nor be denied course completion, grade level advancement or graduation solely on the basis of the student’s absence from the regular classroom during the period of the hospital or homebound instruction.” Tenn. Code Ann. § 49-6-3002.

“Except as otherwise provided in this chapter, it is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation, resort or amusement, as defined in this chapter, on the grounds of race, creed, color, religion, sex, age or national origin.”

Tenn. Code Ann. § 4-21-501.

“(15) “Places of public accommodation, resort or amusement” includes any place, store or other establishment, either licensed or unlicensed, that supplies goods or services to the general public or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds...”

Tenn. Code Ann. § 4-21-102-15.

“(B)... The protections against discrimination on the basis of familial status shall apply to any person who is pregnant...” Tenn. Code Ann. § 4-21-102-7(B).

“A mother has a right to breastfeed her child in any location, public or private, where the mother and child are otherwise authorized to be present.” Tenn. Code Ann. § 68-58-101.

LGBTQ+

Individual school districts must adopt a policy “prohibiting harassment, intimidation, bullying or cyber-bullying.” This includes a procedure for reporting and investigating such behavior and policies for remedial action. Tenn. Code Ann. § 49-6-4503.

“(3) “Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance; and:

(A) If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of:

- (i) Physically harming a student or damaging a student’s property;
- (ii) Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student’s property
- (iii) Causing emotional distress to a student or students; or
- (iv) Creating a hostile educational environment; or

(B) If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.”

Tenn. Code Ann. § 49-6-4502; see also Shelby-Memphis School District [Policy on Harassment](#). (“the following conduct will not be tolerated Conduct aimed at defining a student in a sexual manner.

- (i) Conduct impugning the character of a student based on allegations of sexual promiscuity.
- (ii) Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status”).

SEX-BASED DISCRIMINATION	PREGNANT & PARENTING
<p>Texas Education Code § 37.0832 mandates anti-bullying policies that address sexual harassment and require procedures for reporting incidents.</p> <p>Texas schools are subject to federal Title IX regulations but were enjoined from enforcing the broader protections of the vacated 2024 rules following lawsuits challenging their application statewide.</p> <p>Local school districts may implement additional anti-discrimination policies beyond federal requirements, but explicit state-level protections for LGBTQ+ students remain limited.</p> <p>Additional information: Equal Educational Opportunities</p>	<p>Texas Education Code § 38.011 mandates lactation rooms for nursing mothers and prohibits pregnancy-based discrimination in educational settings at public institutions of higher education.</p> <p>Schools must comply with federal Title IX standards treating pregnancy-related conditions as temporary medical conditions requiring reasonable accommodations such as modified academic schedules or private lactation spaces.</p> <p>Enforcement of broader pregnancy-related accommodations under the vacated 2024 Title IX rules is currently enjoined statewide. Texas institutions may voluntarily implement these standards while adhering to existing state requirements.</p> <p>Additional information: Title IX Regulations Parenting Students</p>
LGBTQ+	
<p>No explicit state-level protections exist for LGBTQ+ students in Texas schools. “The gender identity policy also bars schools from teaching ‘gender fluidity’ and denies students from competing in sports with the gender they identify with, which mirrors state legislation already regulating K-12 athletics.”</p> <p>Local school districts may adopt anti-discrimination policies addressing issues like bullying or exclusion based on gender identity or sexual orientation depending on community priorities statewide.</p> <p>If an individual feels they have been subjected to prohibited discrimination in Texas schools, they may file a complaint with the US Department of Education.</p> <p>However, due to recent executive order, this avenue might not be available.</p> <p>Governor’s Directive (2025): Governor Greg Abbott issued an executive order directing all Texas state agencies to eliminate any forms of DEI policies and to treat all individuals equally, regardless of race.</p> <p>Additional information: Equality Texas</p>	

SEX-BASED DISCRIMINATION

“(1) All persons within the jurisdiction of this state are free and equal and are entitled to full and equal accommodations, advantages, facilities, privileges, goods and services in all business establishments and in all places of public accommodation, and by all enterprises regulated by the state of every kind whatsoever, without discrimination on the basis of race, color, sex, pregnancy, religion, ancestry or national origin.”
UT Code §13-7-3.

“(a) Place of public accommodation includes:

...

(ii) a place, establishment, or facility that caters or offers services, facilities, or goods to the general public gratuitously if the place, establishment, or facility receives any substantial governmental subsidy or support.”
UT Code §13-7-2(3)(ii).

Utah School boards are required to adopt a plan to “eliminate harassment and discrimination” and a plan for “harassment and discrimination-free learning.” See UT Code 53G-8-802(4); see also Alpine School District Policy No. 7100

Local Educational Agency (LEA) model rules specify that an LEA should provide training for students and staff on bullying that includes “bullying, cyber-bullying, hazing, and retaliation based upon the students’ or employees’ actual or perceived characteristics, including race,....sex, gender identity and sexual orientation” [R277-613-4\(5\)\(b\)\(i\)\(D\)](#).

Utah has recently passed an anti-DEI bill which have forced resources such as Women’s Centers at public universities to close based on the risk of losing funding.

Additional information:

[Reporting and investigation mechanism for harassment](#)

[HB0261](#)

[Women’s Resource Center Utah](#)

PREGNANT & PARENTING

“(1) All persons within the jurisdiction of this state are free and equal and are entitled to full and equal accommodations, advantages, facilities, privileges, goods and services in all business establishments and in all places of public accommodation, and by all enterprises regulated by the state of every kind whatsoever, without discrimination on the basis of race, color, sex, pregnancy, religion, ancestry or national origin.”
UT Code §13-7-3.

“(a) Place of public accommodation includes:

...

(ii) a place, establishment, or facility that caters or offers services, facilities, or goods to the general public gratuitously if the place, establishment, or facility receives any substantial governmental subsidy or support.”UT Code §13-7-2(3)(ii).

Utah School boards are required to adopt a plan to “eliminate harassment and discrimination” and a plan for “harassment and discrimination-free learning.”

Utah recently passed a bill protecting the right of mothers to breastfeed in public. “A woman may breastfeed in any place of public accommodation.” UT Code §13-7a-103.

Schools “may not require documentation from a medical professional to substantiate a valid excuse that is a mental or physical illness.” UT. Code §53G-6-205.

LGBTQ+

Utah School boards are required to adopt a plan to “eliminate harassment and discrimination” and a plan for “harassment and discrimination-free learning.” See UT Code 53G-8-802(4); see also Alpine School District Policy No. 7100.

Local Educational Agency (LEA) model rules specify that an LEA should provide training for students and staff on bullying that includes “bullying, cyber-bullying, hazing, and retaliation based upon the students’ or employees’ actual or perceived characteristics, including race,....sex, gender identity and sexual orientation” [R277-613-4\(5\)\(b\)\(i\)\(D\)](#).

Specific school districts have further protections put in place. See Salt Lake City School District Board Policy G-19.

Utah has recently passed an [anti-DEI bill](#) which have forced resources such as LGBTQ+ centers at public universities to close based on the risk of losing funding.

Utah has recently passed a string of bills limiting the rights of transgender students. See HB 11 (banning transgender girls from competing in sports), SB 16 (banning gender-affirming medical care for transgender youth), and HB 257 (imposing prohibitive rules on using public facilities based on sex designation in various contexts, including transgender students using restrooms) HB269 (prohibiting transgender students from living in dorms consistent with their gender identity).

SEX-BASED DISCRIMINATION

Vermont has specifically included schools within its anti-discrimination laws for places of public accommodation:

“(a)” An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.”

9 V.S.A. § 4502

“(1)” “Place of public accommodation” means any school, restaurant, store, establishment or other facility at which services, facilities, goods, privileges, advantages, benefits or accommodations are offered to the general public.”

9 V.S.A. § 4501

Vermont has also enacted laws related to anti-harassment in schools:

“(26)(A)” “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, gender identity, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.

(B) “Harassment” includes conduct that violates subdivision (A) of this subdivision (26) and constitutes one or more of the following:

(i) Sexual harassment, which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:

(I) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education.

(II) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

...

(iii) Harassment of members of other protected categories, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race, national origin, marital status, sex, sexual orientation, gender identity, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.”

16 V.S.A. § 11(26)(A)

“(32)” “Bullying” means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and that: (A) is repeated over time; (B) is intended to ridicule, humiliate, or intimidate the student; and

(C)(i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity; or (ii) does not occur during the school day on school property, on a school bus, or at a school-sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs.”

16 V.S.A. § 11(32)

“(a) State policy. It is the policy of the State of Vermont that all Vermont educational institutions provide safe, orderly, civil, and positive learning environments. Harassment, hazing, and bullying have no place and will not be tolerated in Vermont schools. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school.”
16 V.S.A. § 570(a)

School boards are required to adopt and ensure enforcement of harassment and bullying prevention policies. 16 V.S.A. § 570(b). This includes a procedure directing students to file a report, a procedure for investigating reports, and consequences/appropriate remedial action. 16 V.S.A. §§ 570a, 570c.

“In order to provide equal education and equal employment opportunities, no student and/or public school employee in the State of Vermont shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal and/or state funds as the result of or based on sex, race, color, creed, national origin, sexual orientation, or solely by reason of handicap/disability”

Additional information:

[Vermont Board of Education Rule 1250](#)

PREGNANT & PARENTING

Vermont has specifically included schools within its anti-discrimination laws for places of public accommodation:

“(a) An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.

... **(j)** Notwithstanding any other provision of law, a mother may breastfeed her child in any place of public accommodation in which the mother and child would otherwise have a legal right to be.”

9 V.S.A. § 4502(a), (j).

“(1) “Place of public accommodation” means any school, restaurant, store, establishment or other facility at which services, facilities, goods, privileges, advantages, benefits or accommodations are offered to the general public.”

9 V.S.A. § 4501

“(33)(A) “Pregnant or parenting pupil” means a legal pupil of any age who is not a high school graduate and who: (i) is pregnant; or (ii) has given birth, has placed a child for adoption, or has experienced a miscarriage, if any of these has occurred within one year before the public or approved independent school or the approved education program receives a request for enrollment or attendance; or (iii) is the parent of a child.”

16 V.S.A. § 11(33)(A)

“(1) Pupils are eligible for instruction at home or in the hospital whenever they are unable to attend school for a period of ten consecutive school days or more because of pregnancy or a medical disability

(2) ...Homebound or hospitalized secondary pupils shall receive instruction for no less than average of two hours per subject per week unless inconsistent with medical recommendations. Instructional materials shall be provided by the district of attendance”.

“(1) Right to a public education. No legal pupil attending school at public expense, including a married, pregnant, or parenting student, shall be deprived of or denied the opportunity to participate in or complete a public school education.

(2) Right to enroll in a public or independent school. Notwithstanding the provisions of sections 822 and 1075 of this title, a pregnant or parenting student may enroll in any approved public school in Vermont or an adjacent state, any approved independent school in Vermont, or any other educational program approved by the State Board in which any other legal pupil in Vermont may enroll.” 16 V.S.A. § 1073(b)(1)-(2).

The Vermont government will also pay for the educational costs for a pregnant or parenting student attending an approved teen parent education program in a 24-hour residential facility for up to 8 months after the birth of the child. See 16 V.S.A. § 1073(b)(A).

Additional information:

[Vermont Board of Education Rule 1252](#)

LGBTQ+

“(a) An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.”

9 V.S.A. § 4502

“(1)” “Place of public accommodation” means any school, restaurant, store, establishment or other facility at which services, facilities, goods, privileges, advantages, benefits or accommodations are offered to the general public.”

9 V.S.A. § 4501

“The term ‘gender identity’ means an individual’s actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual’s gender or gender-identity, regardless of the individual’s assigned sex at birth.”

1 V.S.A. § 144

Vermont has also enacted laws related to anti-harassment in schools:

“(26)(A)” “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, gender identity, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.

(B) “Harassment” includes conduct that violates subdivision (A) of this subdivision (26) and constitutes one or more of the following:

(i) Sexual harassment, which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:

(I) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education.

(II) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

...

(iii) Harassment of members of other protected categories, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, sex, sexual orientation, gender identity, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories."

16 V.S.A. § 11(26)(A)

"(32) "Bullying" means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and that: (A) is repeated over time; (B) is intended to ridicule, humiliate, or intimidate the student; and (C)(i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity; or (ii) does not occur during the school day on school property, on a school bus, or at a school-sponsored activity and can be shown to pose a clear and substantial interference with another student's right to access educational programs."

16 V.S.A. § 11(32)

"(a) State policy. It is the policy of the State of Vermont that all Vermont educational institutions provide safe, orderly, civil, and positive learning environments. Harassment, hazing, and bullying have no place and will not be tolerated in Vermont schools. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school."

16 V.S.A. § 570(a)

School boards are required to adopt and ensure enforcement of harassment and bullying prevention policies. 16 V.S.A. § 570(b). This includes a procedure directing students to file a report, a procedure for investigating reports, and consequences/appropriate remedial action. 16 V.S.A. §§ 570a, 570c.

"In order to provide equal education and equal employment opportunities, no student and/or public school employee in the State of Vermont shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal and/or state funds as the result of or based on sex, race, color, creed, national origin, sexual orientation, or solely by reason of handicap/disability"

Vermont Board of Education Rule 1250.

The Vermont Agency of Education has established a guide for "[Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming Students](#)" which includes an overview of legal references.

The [Vermont Human Rights Commission](#) has recently reaffirmed protections for transgender and non-binary students in the wake of the new presidential administration's actions.

SEX-BASED DISCRIMINATION

[Virginia Human Rights Act Title 2.2-3900](#) “[s]afeguard[s] all individuals within the Commonwealth from unlawful discrimination because of ... sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability in places of public accommodation, including educational institutions and in real estate transactions” and “[s]afeguard[s] all individuals within the Commonwealth from unlawful discrimination in employment because of ... sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, disability, or military status.”

PREGNANT & PARENTING

Virginia Human Rights Act Title 2.2-3900 “[s]afeguard[s] all individuals within the Commonwealth from unlawful discrimination because of ... sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability in places of public accommodation, including educational institutions and in real estate transactions.”

Virginia has enacted legislation to support pregnant and parenting students. [HB2734](#) (2025) bill mandates that public institutions of higher education in Virginia provide information for pregnant and parenting students, including available resources, rights, protections, and grievance procedures under Title IX.

Educational institutions in Virginia, such as the University of Virginia, have established resources and policies to support [pregnant and parenting students](#), ensuring compliance with [Title IX](#) and promoting an inclusive educational environment.

Virginia Human Rights Act Title 2.2-3900 “[s]afeguard[s] all individuals within the Commonwealth from unlawful discrimination because of . . . sexual orientation, gender identity . . . in places of public accommodation, including educational institutions and in real estate transactions”.

In 2021, the Virginia Department of Education developed [model policies](#) to guide schools in creating supportive environments for transgender students. These policies address issues such as compliance with nondiscrimination laws, maintenance of student records, identification of students, and student participation in sex-specific school activities and events, including athletics:

“The [School Division] prohibits any and all discrimination, harassment, and bullying based on an individual’s actual or perceived . . . sex, sexual orientation, gender identity, disability, or any other characteristic protected by law. Any incident or complaint of discrimination, harassment, or bullying shall be given prompt attention, including investigating the incident and taking appropriate corrective action, by the school administrator. Complaints alleging discrimination, harassment, or bullying based on a student’s actual or perceived gender identity shall be handled in the same manner as other discrimination or harassment complaints. The [School Division’s Designated Contact] shall be available to hear concerns from students and parents when complaints are not resolved at the school level.”

“Schools shall allow students to use a name and gender pronouns that reflect their gender identity without any substantiating evidence. School staff shall, at the request of a student or parent, when using a name or pronoun to address the student, use the name and pronoun that correspond to their gender identity.”

“[School Division] is required to maintain a record that includes a student’s legal name and sex assigned at birth and may be required to use or report the legal name and sex assigned at birth in some situations. In situations where school staff is required to use or to report a transgender student’s legal name or sex assigned at birth, such as for purposes of standardized testing, school staff and administrators should adopt practices to avoid the inadvertent disclosure of such information. Upon the request of a student or parent, schools shall use the name and gender consistent with the student’s gender identity on other school records or documents. Schools shall change a student’s name and gender designation upon verification or submission of a legal document such as a birth certificate, state- or federal-issued identifications, passport, or court order. Records of former students may also be re-issued with the submission of legal documents substantiating the amended name and gender.”

“Dress and grooming codes shall be written relating to the attire or articles of attire without limits on gender expectations. Students have a right to dress in a manner consistent with their gender identity or gender expression. Schools shall administer and enforce dress and grooming codes consistently across the student body, regardless of actual or perceived gender identity or gender expression. Requirements for attire for school-related programs, activities, and events shall be gender neutral.”

“Schools shall eliminate the practice of segregating students by gender to the extent possible. For any school program, event, or activity, including extra-curricular activities that are segregated by gender, [School Division] shall allow students to participate in a manner consistent with their gender identity. Athletic participation regulated by the Virginia High School League (VHSL) or another organization such as the Virginia Scholastic Rowing Association (VASRA), as well as middle school athletics, shall be in compliance with policies and rules outlined by those organizations.” “Access to facilities such as restrooms and locker rooms that correspond to a student’s gender identity shall be available to all students. Upon request, single-user or gender-inclusive facilities or other reasonable alternatives shall be made available to any student who seeks privacy. Any options offered shall be non-stigmatizing and minimize lost instructional time.”

“All school mental health professionals shall be trained annually on topics relating to LGBTQ+ students, including safety and support for LGBTQ+ students.”

SEX-BASED DISCRIMINATION

“Discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited.” RCW 28A.642.010.

“Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any rule or guideline adopted under this chapter, has a right of action in superior court for civil damages and such equitable relief as the court determines.” RCW 28A.642.040

“Inequality in the educational opportunities afforded women and girls at all levels of the public schools in Washington state is a breach of Article XXXI, section 1, Amendment 61, of the Washington state Constitution, requiring equal treatment of all citizens regardless of sex. This violation of rights has had a deleterious effect on the individuals affected and on society. Recognizing the benefit to our state and nation of equal educational opportunities for all students, discrimination on the basis of sex for any student in grades K-12 of the Washington public schools is prohibited.” RCW 28A.640.010.

“Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any regulation or guideline adopted hereunder, shall have a right of action in superior court for civil damages and such equitable relief as the court shall determine.” RCW 28A.640.040.

RCW 28A.640.020 also sets out sexual harassment policies and specific guidelines for equal treatment in sports and course offerings.

[WAC 392-190](#) provides administrative rules to implement RCW 28A.640, 642.

The [Washington Office of Superintendent of Public Instruction](#) has released [guidelines](#) for implemented RCW 28A.640, 642 and WAC 392-190.

“(1) The right to be free from discrimination because of race, creed, color, national origin, citizenship or immigration status, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability is recognized as and declared to be a civil right. This right shall include, but not be limited to... The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement;” RCW 40.60.030

“Article XXXI, section 1, Amendment 61 of the Washington state Constitution requires equal treatment of all citizens, regardless of gender. Recognizing the benefit to our state and nation of equal educational opportunities for all students, discrimination on the basis of gender against any student in the institutions of higher education of Washington state is prohibited.” RCW 28B.110.010

“It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.” Washington State Constitution Art. IX Sec. 1.

PREGNANT & PARENTING

“Discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited.” RCW 28A.642.010.

“Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any rule or guideline adopted under this chapter, has a right of action in superior court for civil damages and such equitable relief as the court determines.” RCW 28A.642.040

“Inequality in the educational opportunities afforded women and girls at all levels of the public schools in Washington state is a breach of Article XXXI, section 1, Amendment 61, of the Washington state Constitution, requiring equal treatment of all citizens regardless of sex. This violation of rights has had a deleterious effect on the individuals affected and on society. Recognizing the benefit to our state and nation of equal educational opportunities for all students, discrimination on the basis of sex for any student in grades K-12 of the Washington public schools is prohibited.” RCW 28A.640.010.

“Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any regulation or guideline adopted hereunder, shall have a right of action in superior court for civil damages and such equitable relief as the court shall determine.” RCW 28A.640.040.

“Article XXXI, section 1, Amendment 61 of the Washington state Constitution requires equal treatment of all citizens, regardless of gender. Recognizing the benefit to our state and nation of equal educational opportunities for all students, discrimination on the basis of gender against any student in the institutions of higher education of Washington state is prohibited.” RCW 28B.110.010.

Washington does not appear to have specific laws addressing the treatment of pregnant and parenting students. However guidelines for the implementation of the aforementioned anti-discrimination laws cite to both Title IX and RCW 28A.640.010 when discussing pregnant and parenting students. The guidance specific includes “[t]his includes pregnancy, parental status, and pregnancy-related conditions including termination or miscarriage” within the definition of “sex” in those statutes. See [Prohibiting Discrimination in Washington Public Schools](#) at Page 31.

The guidance further states that “[s]chools must give all pregnant and parenting students equal access to school programs, extracurricular activities, athletic programs, and educational opportunities. School districts may not require students to change educational plans (e.g., drop out of a class or program) or deny an honor or award based on pregnancy or parental status, including valedictorian status, scholarships, participation in graduation, or election for class office or homecoming court” and that “[a] school may not penalize a student for absences related to pregnancy or childbirth.”

LGBTQ+

“Discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited.” RCW 28A.642.010.

“Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any rule or guideline adopted under this chapter, has a right of action in superior court for civil damages and such equitable relief as the court determines.” RCW 28A.642.040

Washington public schools are required to have a transgender student policy and procedure for specifically targeted to eliminate discrimination of transgender students and address unique challenges that transgender students face. The policy requires a school employee set a primary contact responsible for handling issues. See RCW 28A.642.080.

[WAC 392-190](#) provides administrative rules to implement RCW 28A.640, 642. The Washington Office of Superintendent of Public Instruction has released [guidelines](#) for implemented RCW 28A.640, 642 and WAC 392-190.

“(1) The right to be free from discrimination because of race, creed, color, national origin, citizenship or immigration status, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability is recognized as and declared to be a civil right. This right shall include, but not be limited to... The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement;” RCW 40.60.030

“(29) “Sexual orientation” means heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, “gender expression or identity” means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.” RCW 49.60.040.(29).

“(1) Facility use. All covered entities shall allow individuals the use of gender-segregated facilities, such as restrooms, locker rooms, dressing rooms, and homeless or emergency shelters, that are consistent with that individual’s gender expression or gender identity. In such facilities where undressing in the presence of others occurs, covered entities shall allow access to and use of a facility consistent with that individual’s gender expression or gender identity.

(2) Cannot require use inconsistent with gender expression or gender identity. A covered entity shall not request or require an individual to use a gender-segregated facility that is inconsistent with that individual’s gender expression or gender identity, or request or require an individual to use a separate or gender-neutral facility.” WAC 162-32-060.

[Note:](#) The Washington Office of Superintendent of Public Instruction is being investigated by the Trump administration for its gender inclusion policy.

WEST VIRGINIA

SEX-BASED DISCRIMINATION

The West Virginia education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See WV Stat. § 18-2C-3. The minimum definition of harassment includes “any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that:

(1) A reasonable person under the circumstances should know will have the effect of any one or more of the following:

- (A) Physically harming a student;
- (B) Damaging a student’s property;
- (C) Placing a student in reasonable fear of harm to his or her person; or
- (D) Placing a student in reasonable fear of damage to his or her property;

(2) Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or

(3) Disrupts or interferes with the orderly operation of the school.” WV Stat. § 18-2C-2.

West Virginia has also passed a “Human Rights Act” that makes it illegal to “withhold from or deny any individual because of his or her...sex...either directly or indirectly, any of the accommodations, advantages, facilities, privileges or services of the place of public accommodations.” WV Stat. § 5-11-9(6)(A).

PREGNANT & PARENTING

West Virginia passed a law codifying the rights of pregnant and parenting students, including excused absences for all pregnancy related conditions, 8-weeks of maternity leave and 2-weeks of paternity leave, excused absences for parenting students with sick children, and academic support to encourage the parent to remain on track for graduation. See WV Stat. § 18-34-1.

The West Virginia education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See WV Stat. § 18-2C-3. The minimum definition of harassment includes “any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that:

(1) A reasonable person under the circumstances should know will have the effect of any one or more of the following:

- (A) Physically harming a student;
- (B) Damaging a student’s property;
- (C) Placing a student in reasonable fear of harm to his or her person; or
- (D) Placing a student in reasonable fear of damage to his or her property;

(3) Disrupts or interferes with the orderly operation of the school.” WV Stat. § 18-2C-2.

LGBTQ+

The West Virginia education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See WV Stat. § 18-2C-3. The minimum definition of harassment includes “any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that:

(1) A reasonable person under the circumstances should know will have the effect of any one or more of the following:

- (A) Physically harming a student;
- (B) Damaging a student’s property;
- (C) Placing a student in reasonable fear of harm to his or her person; or
- (D) Placing a student in reasonable fear of damage to his or her property;

(2) Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or

(3) Disrupts or interferes with the orderly operation of the school.” WV Stat. § 18-2C-2.

West Virginia has also passed a “Human Rights Act” that makes it illegal to “withhold from or deny any individual because of his or her...sex...either directly or indirectly, any of the accommodations, advantages, facilities, privileges or services of the place of public accommodations.” WV Stat. § 5-11-9(6)(A).

West Virginia has also passed a “Human Rights Act” that makes it illegal to “withhold from or deny any individual because of his or her...sex...either directly or indirectly, any of the accommodations, advantages, facilities, privileges or services of the place of public accommodations.” WV Stat. § 5-11-9(6)(A).

Note: West Virginia has proposed a bill that would define sex as male or female and codify that sex does not refer to gender identity.

Certain West Virginia towns have adopted non-discrimination ordinance that specifically protect LGBTQ persons from discrimination with access to public accommodations: Athens, Beckley, Charleston, Harpers Ferry, Huntington, Lewisburg, Martinsburg, Morgantown, Shepherdstown, Sutton, Thurmond, Wheeling. See, e.g., Morgantown Code of Ordinances Ch. 7, Art. 153, Sec 3 (including “sexual orientation or gender identity” in antidiscrimination ordinance).

Note: The West Virginia Senate has passed a bill that would make ordinances that recognize classes of persons outside state protections unenforceable. The bill still needs to be voted on by the West Virginia House of Delegates.

SEX-BASED DISCRIMINATION

“Except as provided in s. 120.13 (37m), no person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person’s sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.” Wis. Stat. § 118.13.1; see also Wis. Admin. Code PI 9 (administrative implementation procedures for anti-discrimination statute).

The Wisconsin statute also requires school boards have in place written policies and procedures for receiving and investigation complaints regarding violations of section 1. See Wis. Stat. § 118.13.2. Negative determinations may be appealed to the state superintendent. See Wis. Stat. § 118.13.3.

PREGNANT & PARENTING

“Except as provided in s. 120.13 (37m), no person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person’s sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.” Wis. Stat. § 118.13.1; see also Wis. Admin. Code PI 9 (administrative implementation procedures for anti-discrimination statute).

The Wisconsin statute also requires school boards have in place written policies and procedures for receiving and investigation complaints regarding violations of section 1. See Wis. Stat. § 118.13.2. Negative determinations may be appealed to the state superintendent. See Wis. Stat. § 118.13.3.

LGBTQ+

“Except as provided in s. 120.13 (37m), no person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person’s sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.” Wis. Stat. § 118.13.1; see also Wis. Admin. Code PI 9 (administrative implementation procedures for anti-discrimination statute).

The Wisconsin statute also requires school boards have in place written policies and procedures for receiving and investigation complaints regarding violations of section 1. See Wis. Stat. § 118.13.2. Negative determinations may be appealed to the state superintendent. See Wis. Stat. § 118.13.3.

The Wisconsin anti-discrimination statute does not specifically provide protections for transgender and non-conforming students.

More than 170 Wisconsin school districts have anti-discrimination policies that specifically protect transgender and gender non-conforming students. See [Including and Affirming Trans and Nonbinary Youth in Schools: Policy - GSAFE](#); see e.g., Madison Metro. School District Policy 4620 (including gender identity as a protected class); Milwaukee Public Schools Admin. Policy 1.04 (including , gender identity, gender expression, and gender nonconformity); Kenosha Unified School District Admin. Policy 5110.1 (including “transgender status, (including gender expression, gender identity and gender nonconformity)”); Eau Claire School District [Administrative Guidance for Gender Support](#).

The Wyoming Interscholastic Athletic Association has instituted a policy affirming transgender students right to participate in athletics. See [WIAA transgender 2018](#).

SEX-BASED DISCRIMINATION

Wyoming has ratified Equal Rights Amendments into their state constitution. See Wyo. Const., art. I, § 1 (“In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal.”); Wyo. Const., art. I, § 3 (“Since equality in the enjoyment of natural and civil rights is only made sure through political equality, the laws of this state affecting the political rights and privileges of its citizens shall be without distinction of race, color, sex, or any circumstance or condition whatsoever other than the individual incompetency or unworthiness duly ascertained by a court of competent jurisdiction.”); Wyo. Const., art. VI, § 1 (“The rights of citizens of the state of Wyoming to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this state shall equally enjoy all civil, political and religious rights and privileges.”).

Wyoming has a specific constitutional article related to discriminations in schools. See Wyo. Const., art. 7, § 10 (“In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.”).

“No child shall be denied the right to attend the public schools of this state on account of sex, race, or religion.” Wyo. Stat. § 21-4-303.

The Wyoming education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See Wyo. Stat. § 21-4-313–314. The minimum definition of harassment includes “any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act initiated occurring at school or received at school that a reasonable person under the circumstances should know will have the effect of: ... Creating an intimidating, threatening or abusive educational environment for a student or group of students through sufficiently severe, persistent or pervasive behavior.” Wyo. Stat. § 21-4-312(a)(i)(C).

PREGNANT & PARENTING

Wyoming has a specific constitutional article related to discriminations in schools. See Wyo. Const., art. 7, § 10 (“In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.”).

“No child shall be denied the right to attend the public schools of this state on account of sex, race, or religion.” Wyo. Stat. § 21-4-303.

Wyoming has a state law protecting the right to breastfeed. See Wyo. Stat. § 6-4-201 (“The act of breastfeeding an infant child, including breastfeeding in any place where the woman may legally be, does not constitute public indecency.”).

Wyoming public school absence policies are set by the board of trustees in each school district, but that “an absence preapproved by the district or an absence due to an illness, injury or the health care needs of the student or a death or serious illness in the student’s family shall not constitute an unexcused absence.” Wyo. Stat. § 21-3-110-xxxix; see also [2024-2025 Student/Parent Handbook Natrona County School District 1](#) at page 6 (“Medical absences that are excused by a healthcare professional will not count against the student.”); [High School Handbook 2024-2025](#) at page 8 (“According to state law, all school-age children are to be in attendance except for the following reasons: illness, medical care, injury or other emergencies, activities or events beyond parental control. Final administrative determination of whether an absence/tardy is excused or unexcused is made by the district attendance officer.”).

The Wyoming education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See Wyo. Stat. § 21-4-313–314. The minimum definition of harassment includes “any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act initiated occurring at school or received at school that a reasonable person under the circumstances should know will have the effect of: ... Creating an intimidating, threatening or abusive educational environment for a student or group of students through sufficiently severe, persistent or pervasive behavior.” Wyo. Stat. § 21-4-312(a)(i)(C).

LGBTQ+

Wyoming has a specific constitutional article related to discriminations in schools. See Wyo. Const., art. 7, § 10 (“In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.”).

“No child shall be denied the right to attend the public schools of this state on account of sex, race, or religion.” Wyo. Stat. § 21-4-303.

The Wyoming education code has prohibitions on harassment generally and a requirement that school districts adopt an anti-harassment policy. See Wyo. Stat. § 21-4-313–314. The minimum definition of harassment includes “any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act initiated occurring at school or received at school that a reasonable person under the circumstances should know will have the effect of: ... Creating an intimidating, threatening or abusive educational environment for a student or group of students through sufficiently severe, persistent or pervasive Behavior.” Wyo. Stat. § 21-4-312(a)(i)(C).

The cities of Jackson, Casper, Cheyenne and Laramie have anti-discrimination ordinances that cover sexual orientation and gender identity in public accommodations. See Casper Code of Ordinances § 9.08.010; Jackson Code of Ordinances § 9.26.050; Cheyenne Code of Ordinances § 9.08.120; Laramie Code of Ordinances § 9.32.040.

Wyoming has recently passed anti-LGBTQ legislation. See Wyo. Stat. § 21-3-135 (requiring parental notification with a change in student’s health or well-being and requiring parental consent for participation in school activity that “addresses sexual orientation or gender identity”); Wyo. Stat. § 35-4-1001 (disciplines physicians that facilitate gender transitioning and reassignment procedures for children).