

# LGBTQ STUDENT RIGHTS



## **Do I have a right to be out at school?**

**YES.** You have the right to be out about your identity and to be yourself at school.

## **Do I have the right to keep my LGBTQ identity private?**

**YES.** School staff cannot out you to other students or other school staff without your permission, except under very limited circumstances. Schools should not out you to your parents or guardians, but be aware that schools have done this in the past.

## **Do I have the right to express myself and speak out about LGBTQ issues?**

**YES.** This includes wearing LGBTQ-positive t-shirts, stickers and bracelets, accessing information about LGBTQ issues on school computers, and bringing same-sex dates to prom.

## **Can I start a Gay-Straight Alliance (GSA) club at my school?**

**YES.** If your school has even one other extracurricular club, the school must allow you to start a GSA and cannot treat the GSA differently than any other club.

## **Do I have the right to be free from bullying and harassment at school?**

**YES.** All students have the right to be treated equally and to be free from bullying, harassment and discrimination, regardless of sexual orientation, gender identity or gender expression.<sup>i</sup>

## **Do I have the right to unbiased and LGBTQ inclusive instruction?**

**YES.** Your school should teach LGBTQ inclusive history<sup>ii</sup> and sexual health education<sup>iii</sup>, and should never allow bias in the classroom.<sup>iv</sup>

## **Do I have the right to assert my gender identity at school?**

**YES.** Regardless of your gender presentation, you have the right to assert your gender identity at school. You do not need any medical diagnosis or treatment to have your identity recognized by your school. However, we recommend talking to and working with your school if possible, especially if you transition while in school.

## **Do I have the right to be addressed by the name and pronouns that correspond with my gender identity?**

**YES.** This is true even if your name and gender are not legally changed. Your school should use your chosen name and pronouns on everything possible—your student ID, class attendance rosters, yearbook, and more. Your legal name should only appear on your official file.

## **Do I have the right to dress in a way that aligns with my gender identity?**

**YES.** You have the right to wear clothing that expresses your gender identity. If your school has a policy that says what boys and girls may wear to school or for special events, then your school must allow you to wear the clothing that corresponds to your gender identity.

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CONTINUED

## Do I have the right to participate in sports and PE classes that match my gender identity?

**YES.** Your school must allow you to participate in sports and PE classes that align with your gender identity.<sup>v</sup>

## Do I have the right to use the facilities that match my gender identity?

**YES.** Your school must allow you to use restrooms and locker rooms that align with your gender identity.<sup>vi</sup> If you desire more privacy and prefer to use a more private restroom or changing area, your school should accommodate that. But your school cannot force you to use a private restroom (such as in the nurse's office).



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<sup>i</sup> California Education Code §200-220

<sup>ii</sup> California Education Code §51204.5 and §60040

<sup>iii</sup> California Education Code §51930- §51939

<sup>iv</sup> California Education Code §51500

<sup>v</sup> California Education Code §221.5(f)

<sup>vi</sup> California Education Code §221.5(f)