



Federal Laws

The Family Educational Rights and Privacy Act

- Protects the privacy of student education records. Students have the right to keep information about their gender identity and sexual orientation private, including from family.

The Equal Access Act (title IX)

- Protects any person from sex-based discrimination, regardless of their real or perceived sex, gender identity, and/or gender expression. Female, male and gender non-conforming students, faculty, and staff are protected from any sex based discrimination, harassment or violence.

The First Amendment

- Protects both freedom of speech and expression. Schools may not restrain student speech unless it will reasonably substantially disrupt the school environment or harm others. Schools cannot prevent students from expressing their identity or discussing LGBTQ families.

The Equal Protection Clause

- Based on some federal court cases, this can be understood to prohibit discrimination, including sexual harassment, based on sex stereotypes, sexual orientation and gender identity. Schools cannot limit or deny participation in any school program on the basis of sex.

California State Laws

Seth's Law (AB 9)

- If school personnel witness an act of discrimination, harassment, intimidation or bullying they **MUST** intervene immediately.

Student Safety and Violence Prevention Act (AB 537)

- Schools must protect LGBT students and those perceived to be LGBT from harassment

School Success & Opportunity Act (AB 1266)

- Ensures that Transgender students have access to bathrooms, locker rooms and sports teams that align with their gender identity. Also allows them to change their name and/or gender marker on student information systems without a legal change and **without parent permission**.

FAIR Education Act (SB 48)

- Amends CA Ed Code to include Fair, Accurate, Inclusive and Respectful reference to contributions by people with disabilities and members of the LGBT community in history and social studies curriculum.

California Healthy Youth Act (AB 329)

- Comprehensive sexual health and HIV prevention education is required at least once in middle and once in high school. It must respect and address the needs of students of all genders and sexual orientations.

Sexual Orientation Change Efforts (SB 1172)

- Prohibits mental health providers from engaging in sexual orientation change efforts with a patient under 18 years of age.

Insurance Gender Nondiscrimination Act

- Guarantees the right to medically necessary care regardless of gender identity or expression. Transition related care is deemed medically necessary.