

Transgender & Gender Expansive School Tips

Maine state law (Title 5 Maine Revised Statutes section 4602) bans discrimination based on gender identity or gender expression in any academic environment. The state has also issued guidance around how the law should be implemented in schools.

- **The Maine Human Rights Commission's guidance around the education provisions in the Maine Human Rights Act states that transgender and gender expansive students are entitled to:**
 - Equal access to and ability to participate on equal terms in all school programs, including extracurricular activities;
 - Respect for the gender identity of transgender students, including using appropriate names and pronouns, and allowing transgender students to wear clothing consistent with their gender identity;
 - The right to acknowledge their sexual orientation and gender identity and expression;
 - The right to express themselves on issues relating to sexual orientation or gender identity and expression within constitutional limits;
 - The right to learn about LGBTQ issues and have access to pedagogically and age appropriate information and resources about LGBTQ issues and people;
 - The full text of the Maine Human Rights Act, which also prohibits discrimination in housing, employment, and public accommodations, can be found at bit.ly/2t1xVh7.
- **Maine's LGBTQ-inclusive anti-bullying law requires schools:**
 - To protect all students, regardless of gender identity or gender expression, from bullying and cyberbullying
 - To develop and enforce specific policies and procedures that prevent and address bullying;
 - To provide harm-reduction services and referrals, including therapy referrals, to students who have been bullied.
- **The Federal Equal Access Act prohibits public schools in Maine from:**
 - Discriminating against or denying equal access to student groups who wish to host a meeting, including GSA and comparable groups;
 - Denying equal access to extracurricular programs or activities, including by exclusion denial of benefits;
 - Denying equal athletic opportunities to students;
 - Denying equal admission to or access to information about a program;
 - Denying equal financial assistance, either through opportunity or available funds;
 - The Equal Access Act can be viewed at www.law.cornell.edu/uscode/text/20/4071

If you have questions about these laws or other legal issues, such as health insurance coverage for gender affirming care, please call GLAD Answers (800-455-GLAD) or reach us online at www.GLADAnswers.org.

