

## **LGBTQ Youth: School Nondiscrimination Laws & Related Policies**

No updates required since May 30, 2026

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## Background

**School Nondiscrimination Laws:** These laws protect students from discrimination in school, including being unfairly denied access to facilities, sports teams, or clubs on the basis of their sexual orientation or gender identity. Visit [Glisten](#) (formerly GLSEN) to learn more.

**Guidance on Transgender Student Inclusion:** These policies or state-issued guidance help schools understand best practices and procedures for supporting transgender and nonbinary youth in school settings. See GLSEN’s research on [improving school climate for transgender and nonbinary youth](#) to learn more about the impacts of inclusive (or discriminatory) school environments.

**Negative Law: Anti-Enumeration Laws:** These laws prevent schools and districts from listing or enumerating any type of protected classes (such as sexual orientation, gender identity, race, disability, and more) in their anti-bullying or nondiscrimination policies. [Research shows](#) that such generic laws are not effective at protecting students from bullying or discrimination.

### School nondiscrimination policy scoring details

- (1) State law prohibits discrimination in schools based on sexual orientation and/or gender identity
- (0.75) State explicitly interprets law banning sex discrimination in schools to include sexual orientation and/or gender identity
- (0.5) State regulation, but not state law, prohibits discrimination in schools based on sexual orientation and/or gender identity
- (0) State has no law or regulation regarding LGBTQ discrimination in schools
- (-1) State bans schools and districts from adding LGBTQ protections to school nondiscrimination policies (also known as “anti-enumeration” laws)

## Equality Maps & Additional Resources

- See our [Equality Map: School Nondiscrimination](#), which is updated and maintained in real time alongside this document.
- To learn more about state bans on transgender students using school bathrooms or facilities according to their gender identity, see our [separate Equality Map: Bans on Transgender People Using Bathrooms and Facilities](#) and its corresponding [citation sheet](#), which contains additional state-by-state information, links, and further analysis. These laws prohibit transgender students from using school facilities, such as bathrooms or locker rooms, according to their gender identity. Some laws also apply more broadly beyond K-12 settings, including government-owned buildings and public places.
- See also MAP's related research:
  - (Feb-Sept 2023) [Under Fire: The War on LGBTQ People in America](#) – a report series connecting the dots on the varied ways that LGBTQ people are under siege across virtually every aspect of life. Report #2 (*Under Fire: Erasing LGBTQ People From Schools and Public Life*) in particular focuses on attacks in school settings.
  - (March 2022) [Policy Spotlight: Curriculum Censorship & Hostile School Climate Bills](#) – an in-depth report examining the wave of state legislation seeking to ban or censor discussions of race, ethnicity, religion, and LGBTQ people in schools, and to more broadly create a hostile school climate for students of many backgrounds.
- Visit [Glisten](#) (formerly GLSEN) to learn more about the importance of inclusive school environments and laws.

## Summary Table

| Nondiscrimination Policies  | Number                         | List                               | Explicit Guidance About Trans Students |
|---|--------------------------------|------------------------------------|--|
| State <u>law</u> prohibits discrimination in schools based on sexual orientation and gender identity  | 19 states, D.C., + 1 territory | California                         | Yes                                    |
|   |                                | Colorado                           | Yes                                    |
|   |                                | Connecticut                        | Yes                                    |
|   |                                | District of Columbia               | Yes                                    |
|   |                                | Hawai`i                            | Yes                                    |
|   |                                | Illinois                           | Yes                                    |
|   |                                | Maine                              | Yes                                    |
|   |                                | Maryland                           | Yes                                    |
|   |                                | Massachusetts                      | Yes                                    |
|   |                                | Michigan                           | Yes                                    |
|   |                                | Minnesota                          | Yes                                    |
|   |                                | Nevada                             | Yes                                    |
|   |                                | New Hampshire                      | -                                      |
|   |                                | New Jersey                         | Yes                                    |
|   |                                | New Mexico                         | -                                      |
|   |                                | New York                           | Yes                                    |
| Oregon  | Yes                            |                                    |  |
| Puerto Rico   | Yes                            |                                    |  |
| Vermont   | Yes                            |                                    |  |
| Virginia  | -                              |                                    |  |
| Washington  | Yes                            |                                    |  |
| State explicitly <u>interprets law</u> banning sex discrimination in schools to include sexual orientation and gender identity                              | 2 states + 1 territory         | North Dakota                       | -                                      |
|   |                                | Pennsylvania                       | -                                      |
|   |                                | U.S. Virgin Islands                | Yes                                    |
| State <u>law</u> prohibits discrimination in schools based on sexual orientation only   | 2 states                       | Iowa                               | -                                      |
|   |                                | Wisconsin                          | -                                      |
| State <u>regulation, but not law</u> , prohibits discrimination in schools based on sexual orientation and/or gender identity                               | 3 states + 1 territory         | Rhode Island – SO & GI             | Yes                                    |
|   |                                | Utah – SO & GI                     | -                                      |
|   |                                | Delaware – SO only                 | -                                      |
|   |                                | Northern Mariana Islands – SO only | -                                      |
| No state law or regulation regarding LGBTQ discrimination in schools  | 22 states + 2 territories      | All others                         | -                                      |
| <b>Negative law:</b> State bans schools and districts from adding LGBTQ protections to their local nondiscrimination policies (AKA “anti-enumeration” laws) | 2 states                       | Missouri                           | -                                      |
|   |                                | South Dakota                       | -                                      |

## State-by-State Sources & More Detail

### Alabama

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Alaska

- (0) State has no law or regulation regarding LGBTQ discrimination in schools
- Formerly, (0.75) state agency explicitly interpreted law banning sex discrimination in schools to include both sexual orientation and gender identity for employment, housing, public accommodations, credit/lending, and government agencies/practices/services (which includes schools and education). See archived capture of [Alaska State Commission for Human Rights](#) (announced Dec 2020), agency [social media post](#) (Dec 2020), and [subsequent guidance](#) with further detail (Feb 2021). However, under pressure from conservative interest groups amid the 2022 election season, in August 2022 the agency rescinded its interpretation for all areas except for employment, which was explicitly covered by the U.S. Supreme Court ruling in [Bostock v. Clayton County, Georgia](#) (2020). See [this coverage](#) for more details about this reversal, and see also the agency's [social media post](#) announcing the change (August 2022).

### Arizona

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Arkansas

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### California

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [Cal. Edc. Code § 234](#); [AB 537](#) (1999; law refers to characteristics listed in hate crime law, which included sexual orientation and gender (defined to include gender identity; see preamble of AB 537)); and [AB 9](#) (2011; strengthening existing protections)
- State law prohibits discrimination in schools based on **association** with someone with a listed characteristic
  - See [Cal. Edc. Code § 234](#) (2011)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See [AB 1266](#) (2013), CA Dept of Education's [Gender Equity/Title IX](#) page, and archived capture of [Frequently Asked Questions](#) related to AB 1266

## Colorado

- (1) State law **prohibits discrimination in schools** (via public accommodations) based on sexual orientation and gender identity
  - See [SB 08-200](#) (2008; sexual orientation defined to include transgender status), and [HB 21-1108](#) (2021; removing transgender status from the definition of sexual orientation and creating new standalone definitions of gender identity and gender expression)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See [3 CCR 708-1](#) (Rule 81.9) and CO Dept of Education’s [Gender/Sexual Orientation](#) page (archived capture Jan 2025)

## Connecticut

- (1) State law **prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [Conn. Gen. Stat. 10-15c](#), [SB 1121](#) (1997, adding sexual orientation), and [HB 6599](#) (2011, adding gender identity)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See CT Department of Education’s [Guidance of Civil Rights Protections and Supports for Transgender Students](#) (last updated Jan 2024; see [original Sept 2017](#)); its related [Frequently Asked Questions](#) (dated Sept 2017); and [Memo from Governor to Superintendents](#) (Feb 2017)

## Delaware

- (0.5) State regulation, but not state law, **prohibits discrimination in schools** based on sexual orientation only
  - See [14 DAC 225](#) (2005, effective 2006)
- Note, however, that state law prohibits discrimination in public accommodations based on sexual orientation and gender identity, and this may apply to educational settings. See [SB121](#) (2009, adding sexual orientation) and [SB97](#) (2013, adding gender identity). In state law, “public accommodations” is defined to include “state agencies, local government agencies, and state-funded agencies performing public functions” ([Title 6 §4502](#)), which may apply to schools. See also the state’s public accommodations discrimination [complaint form](#), which includes “School” as a place where prohibited discrimination may occur (Section 4).

### District of Columbia

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [D.C. Code § 2-1402.41 \(Part E\)](#), [Bill 2-179/Law 2-38](#) (1977, including sexual orientation), and [Bill 16-389/Law 16-58](#) (2005, eff. 2006, adding gender identity)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See DC Public Schools' [Transgender and Gender-Nonconforming Policy Guidance](#) (June 2015)

### Florida

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Georgia

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Hawai`i

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [HB1489](#) (2018)
  - See also [Hawaii Department of Education Nondiscrimination Policy](#) including both sexual orientation and gender identity (since [at least 2019](#))
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See HI Dept of Education's [Guidance on Supports for Transgender Students](#) (July 2016)

### Idaho

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Illinois

- (1) State **law prohibits discrimination in schools** (via public accommodations) based on sexual orientation and gender identity
  - See [SB3186](#) (2005, effective 2006; sexual orientation defined to include gender identity; public accommodations defined to include educational institutions, see [775 ILCS 5/5-101\(A\)\(11\)](#))
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See IL Board of Education's [Supporting Transgender, Nonbinary, and Gender Nonconforming Students](#) (March 2020) and Dept of Human Rights (IDHR) [Relating to Protection of Transgender, Nonbinary, and Gender Nonconforming Students Under the Illinois Human Rights Act](#) (Dec 2021)

### Indiana

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Iowa

- (1) State **law prohibits discrimination in schools** based on sexual orientation only
  - See [Iowa Code § 216.9, SF427](#) (2007; SO+GI), and [SF418](#) (2025; removing GI)
  - Formerly, state law prohibited discrimination for both sexual orientation and gender identity. This was changed by SF418 (2025), removing gender identity.
- Formerly, state had explicit guidance for the treatment and inclusion of transgender students (see archived capture of IA Department of Education’s [Equality for Transgender Students](#) (October 2017)). This guidance was publicly available until at least [January 16, 2022](#). As early as [March 6, 2022](#), this page was replaced with a notice saying, “The content of this webpage is currently being reviewed for continued legal accuracy in light of recent court decisions.” It did not reference which court decisions. This notice remained until at least [November 29, 2022](#). As of [March 2023](#), even that notice has been removed, and no other similar state-issued resources are available on the state’s website.

### Kansas

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Kentucky

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Louisiana

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Maine

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [5 M.R.S. § 4552, LD1196](#) (2005, sexual orientation [defined](#) at the time to include gender identity or expression), and [LD1688](#) (2021, creating new standalone enumeration of gender identity)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See [Re: Interpretation of the Education Provisions of the MHRA](#) (January 2016)

## Maryland

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [HB850/SB666](#) (2022)
  - Formerly, state regulation, but not state law, prohibited discrimination in schools based on sexual orientation and gender identity. See [COMAR 13A.01.06 Educational Equity](#) (Oct 2019) and Maryland Department of Education's [nondiscrimination statement](#).
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See MD Dept of Education's [Providing Safe Spaces for Transgender and Gender Non-Conforming Youth: Guidelines for Gender Identity Non-Discrimination](#) (2015)

## Massachusetts

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [Mass. Gen. Laws, chapter 76, § 5](#), amended to include sexual orientation in 1993 and amended to include gender identity in 2011
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See MA Dept of Education's [Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment: Nondiscrimination on the Basis of Gender Identity](#) (June 2017).

## Michigan

- (1) State **law prohibits discrimination in schools** based on sexual orientation and gender identity
  - See [SB4](#) (2023), as well as the Michigan Supreme Court's decision in [Rouch World LLC v. Department of Civil Rights](#) (July 2022).
  - Formerly, state agency explicitly interpreted existing protections against discrimination based on sex to include both sexual orientation and gender identity. See Michigan Civil Rights Commission's [Interpretive Statement](#) (2018).
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See MI Board of Education's [Guidance to Support Transgender and Gender Nonconforming \(GNC\) Students](#) (September 2016)

### Minnesota

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [Minn. Stat. § 363A.13, HF 585](#) (1993; sexual orientation defined to cover gender identity), and [SF 2909](#) (2023; moving gender identity to standalone definition)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See MN Dept of Education’s [Toolkit for Ensuring Safe and Supportive Schools for Transgender and Gender Nonconforming Students](#) (September 2017)

### Mississippi

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Missouri

- (-1) State bans schools and districts from adding LGBTQ protections to school nondiscrimination policies (also known as “anti-enumeration” laws)
  - See [Mo. Rev. Stat. § 160.775.3](#) and SB 894 (2006)

### Montana

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Nebraska

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Nevada

- (1) State law prohibits discrimination in schools (via public accommodations) based on sexual orientation and gender identity
  - See [NRS 651.050.3\(k\)](#) (public accommodations defined to include places of education), [SB217](#) (2009, adding sexual orientation), [SB331](#) (2011, adding gender identity), and see also [SB188](#) (2017)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See NV Dept of Education’s [Supporting Sex/Gender Diverse Students](#) (Oct 2018)

### New Hampshire

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [SB263](#) (2019)

### New Jersey

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [N.J. Stat. § 10:5-1](#) and [10:5-5](#), “Law Against Discrimination” L.1991,c.519 (1991, adding sexual orientation), and [S362/PL 2006, Ch. 100](#) (Dec 2006, effective June 17, 2007, adding gender identity)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See NJ Dept of Education’s [Transgender Student Guidance for School Districts](#) (Oct 2018)

### New Mexico

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [HB207](#) (2023), adding that governmental entities (including schools) are now also subject to the state’s nondiscrimination laws, updating the state’s existing definitions of sexual orientation and gender identity, and adding new definitions of sex and gender.
  - State school regulation also prohibits discrimination based on sexual orientation only. See [NM Administrative Code 6.60.9.9](#) (2001).

### New York

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [AB 3661](#) (2010)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See NY State Education Dept’s [Creating a Safe, Supportive, and Affirming School Environment for Transgender and Gender Expansive Students](#) (June 2023) and its earlier [Transgender and Gender Nonconforming Guidance Document](#) (July 2015)

### North Carolina

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### North Dakota

- (0.75) State explicitly interprets law banning sex discrimination in schools (via “public services”) to include sexual orientation and gender identity
  - See [North Dakota Department of Labor and Human Rights statement](#) (2020, archived capture) and example [public services discrimination complaint form](#) that includes sexual orientation and gender identity. “Public services” includes schools.

### Ohio

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Oklahoma

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Oregon

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [ORS § 659.850](#) and [SB2](#) (May 2007; effective 2008; sexual orientation defined to include gender identity)
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See OR Dept of Education's [Guidance to School Districts: Creating a Safe and Supportive School Environment for Transgender Students](#) (May 2016) and [LGBTQ2SIA+ Student Success Plan](#) (June 2020)

### Pennsylvania

- (0.75) State explicitly interprets law banning sex discrimination in schools (via public accommodations) to include sexual orientation and gender identity
  - See PA Human Relations Commission's [Guidance on Discrimination on the Basis of Sex Under the Pennsylvania Fair Educational Opportunities Act \(PFEOA\)](#) (2018), and the definition of “public accommodations” in state law defined to include “kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses and all educational institutions under the supervision of this Commonwealth” ([Section 4\(l\)](#)).

### Rhode Island

- (0.5) State regulation, but not state law, prohibits discrimination in schools based on sexual orientation and gender identity
  - See [200-RICR-30-10-1](#) (2018)
  - Additionally, RI Department of Education has its own agency policy prohibiting discrimination on the bases of sexual orientation, gender identity, and association with a listed characteristic. See [Board of Regents Policy Statement on Discrimination Based on Sexual Orientation and Gender Identity/Expression](#) (December 2010).
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See RI Dept of Education's [Guidance for Rhode Island Schools on Transgender and Gender Nonconforming Students](#) (June 2016)

### South Carolina

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### South Dakota

- (-1) State bans schools and districts from adding LGBTQ protections to school nondiscrimination policies (also known as “anti-enumeration” laws)
  - See [S.D. Codified Laws § 13-32-14](#) (2012)

### Tennessee

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Texas

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

### Utah

- (0.5) State regulation, but not state law, prohibits discrimination in schools based on sexual orientation and gender identity
  - See [Utah Administrative Code Rule R277-217](#), “Educator Standards and LEA Reporting” (Feb 2020 with both SO/GI, renewed April 2021)
  - Formerly, state regulation, but not state law, prohibited discrimination based on sexual orientation only. See [Utah Administrative Code Rule R277-515](#), “Utah Educator Professional Standards.” This was first effective Dec 2017, and later [repealed](#) in Feb 2020 when the SOGI-inclusive rule came into effect.

### Vermont

- (1) State law prohibits discrimination in schools based on sexual orientation and gender identity
  - See [9 VSA § 4502](#), amended to include sexual orientation in 2001 and amended to include gender identity in 2007. See [9 VSA § 4501\(1\)](#) defining “public accommodations” to include schools.
- State law prohibits discrimination in schools based on **association** with someone with a listed characteristic
  - See [9 VSA § 4502\(c\)\(3\)](#), and see also [9 VSA § 4501\(1\)](#) defining “public accommodations” to include schools
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See VT Agency of Education’s [Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming Students](#) (February 2017)

## Virginia

- (1) State law prohibits discrimination in schools (via public accommodations) based on sexual orientation and gender identity
  - See [SB 868](#) (2020) and definition of public accommodations
- Formerly, state had explicit guidance for the treatment and inclusion of transgender students. A related bill, [SB 161](#) (2020) required the state’s Department of Education to create model policies and required schools to adopt policies consistent with or more comprehensive than the state’s model policy. The VA Department of Education’s [2021 model policy](#) was evidence-based and explicitly transgender-inclusive. However, within that first year, relatively few school districts had fully adopted the model policy (see [here](#)), and in September 2022, the newly elected governor rescinded those protections and proposed a new [2022 model policy](#) that omitted protections for sexual orientation and gender identity and instead specifically requires that students’ participation in school programs and facilities should be based on biological sex. After public feedback, a revised [2023 model policy](#) (enacted July 2023) retains these discriminatory provisions, including banning transgender students from playing sports according to their gender identity, as well as requiring the outing of transgender students to their parents, among other provisions.

## Washington

- (1) State law **prohibits discrimination in schools** (via public accommodations) based on sexual orientation and gender identity
  - See [HB 2661](#) (2006), adding sexual orientation (defined to include gender identity) to state nondiscrimination, and see [RCW 49.60.040](#), which defines public accommodations to include schools. See also [HB 3026](#) (2010), adding LGBTQ protections directly to the education section of state code ([RCW 28A.642.010](#)).
- State has **explicit guidance for the treatment and inclusion of transgender students**
  - See WA Office of Superintendent of Public Instruction’s [Prohibiting Discrimination in Washington Public Schools](#) (Feb 2012), [Gender-Inclusive Schools](#) (2017), and [Bulletin No. 089-19](#) and related [RCW 28A.642.080](#) (Dec 2019).

## West Virginia

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

## Wisconsin

- (1) State law prohibits discrimination in schools based on sexual orientation only
  - See [Wis. Stat. § 118.13](#) (2001)

## Wyoming

- (0) State has no law or regulation regarding LGBTQ discrimination in schools

## U.S. Territories

### American Samoa

- (0) Territory has no law or regulation regarding LGBTQ discrimination in schools

### Guam

- (0) Territory has no law or regulation regarding LGBTQ discrimination in schools

### Northern Mariana Islands

- (0.5) Territory regulations, but not territory law, prohibit discrimination in schools based on sexual orientation only
  - See [60-20-401\(a\)](#) (2002)

### Puerto Rico

- (1) Territory law prohibits discrimination in schools on the bases of sexual orientation and gender identity
  - See [Students' Bill of Rights](#) (2012) and Puerto Rico Department of Education's [policy prohibiting discrimination and bullying](#) based on sexual orientation and gender identity (2017)
- Territory has **explicit guidance for the treatment and inclusion of transgender students**
  - See Puerto Rico Department of Education's [policy](#) (2017)

### U.S. Virgin Islands

- Territory attorney general explicitly interprets law banning sex **discrimination in schools** to include both sexual orientation and gender identity
  - See [Attorney General guidance](#) (2017), requested by the education commissioner
- Territory has **explicit guidance for the treatment and inclusion of transgender students**
  - See [Attorney General guidance](#) (2017), requested by the education commissioner