

# Relevant LGBTQ Laws

## References

A Transgender Advocate's Guide to Updating and Amending School Records. (n.d.). Retrieved November 10, 2018, from <https://www.lambdalegal.org/know-your-rights/article/youth-ferpa-faq>

How The Law Protects LGBTQ Youth. (n.d.). Retrieved October 23, 2018, from <https://www.lambdalegal.org/know-your-rights/article/youth-how-the-law-protects>

The Rights of Lesbian, Gay, Bisexual and Transgender People. (n.d.). Retrieved November 10, 2018, from <https://www.aclu.org/other/rights-lesbian-gay-bisexual-and-transgender-people-0>

US Legal, Inc. (n.d.). Equal Access Act Law and Legal Definition. Retrieved November 20, 2018, from <https://definitions.uslegal.com/e/equal-access-act/>

## FERPA

The Family Educational Rights and Privacy Act is a federal law that protects the privacy of student educational records. FERPA gives parents certain rights with respect to their children's educational records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level.

Under FERPA, students, current or former, have a right to seek to amend their school records if said records are **“inaccurate, misleading, or in violation of the student's rights of privacy.”** (34 C.F.R. § 99.7 (a)(2)(ii)). Transgender students wishing to change their name and gender marker on their educational records can seek such an amendment under this federal law.

## First Amendment Rights

- to voice your support for LGBTQ equality at school
- to wear T-shirts or distribute leaflets expressing LGBTQ-positive statements without censorship based on your opinion or viewpoint
- to hang posters, make announcements and hold meetings for LGBTQ-related groups on the same terms as other student organizations
- to write a column or article in a personal or student-led publication addressing LGBTQ issues without discrimination based on your LGBTQ-supportive ideas



## Training Module for Teachers on LGBTQ

### Title IX

A federal law called Title IX, which bans discrimination based on sex, protects students at schools that receive federal funds. Courts have agreed that the sex discrimination prohibited by Title IX not only includes discrimination for being a girl or boy, but also includes sexual harassment and discrimination for failing to conform to gender stereotypes. LGBTQ targets of sex discrimination and harassment have successfully relied on Title IX's protections in several court cases involving schools.

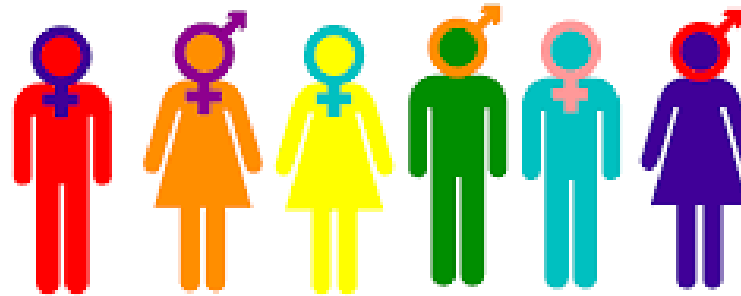
### Equal Access Act

Equal Access Act is a federal Act passed in the year 1984 to compel federally-funded secondary schools to provide equal access to extracurricular clubs. The Act provides that it shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

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# LESBIAN

Lesbian is used for women who are attracted (romantically or sexually) to other women. It is individual choice whether a woman wants to be called gay, lesbian, bisexual, or none.



# TRANSGENDER

Transgender is a term that covers a lot of different experiences. A transgender person is someone who does not feel that the gender they were assigned at birth (boy or girl) matches who they are. This is different than sex, which is what their organs are. This could mean that they want to change their gender, such as male to female (MTF) or female to male (FTM) but still have their original sex parts (surgery is expensive!), although they would be considered the gender they want to have.

# BISEXUAL

Bisexual is a term a person may choose to describe themselves when they are attracted (romantically or sexually) to both men and women. There are a lot of myths about people who are bisexual. Some of them are that they can't make up their minds, or that they are really gay but don't want to admit it. These are all not true. It is also important to remember that even if someone who is bisexual is dating someone that doesn't make them heterosexual or gay. How someone chooses to identify (gay, lesbian, bisexual, etc) doesn't necessarily change because they start seeing someone.

# GAY

Gay can refer to the sexual preference for a man or woman. What it means that someone is romantically or sexually attracted to another person who is the same gender as them. In common language, it usually refers to men who are attracted to other men. Some men who are attracted to other men don't identify themselves as gay and that's okay. It is up to the individual whether they want that term to be used to describe them. Gay refers to someone's chosen label, not that actual behavior.

# QUEER

Queer is a newly reclaimed term, meaning that queer historically was a slur used about homosexual people and now it is a term that is used as a positive. Queer is used both as a term to describe the whole LGBTQ community, a new umbrella term instead of using LGBTQ because it covers more people. Queer is also a term individuals use to identify themselves. A good definition of queer is non-heterosexual or non-gender conforming (meaning they don't follow the traditional rules about gender roles). Like the rest of the terms, it is best to ask how someone identifies before assume they call themselves queer or lesbian or gay or etc.