

TRANS STUDENTS: KNOW YOUR RIGHTS AT SCHOOL

Sports edition: When getting ready for practice, make sure you know the rights that you bring with you!



LOCKER ROOM!

You have the right to use the locker room and bathroom that aligns with your gender identity and can't be forced to use separate spaces from those of your peers.



TEAM!

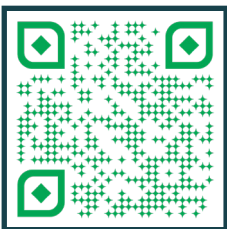
You have the right to be on the team that aligns with your gender identity, whether or not you are receiving gender affirming health care. It's legal in Minnesota to receive gender affirming health care.



PROTECTION!

You have the right to be protected from bullying and harassment. Schools are required to take action against bullying. You don't have to convince schools that preventing discrimination is the "nice thing to do" — it's the law.

The Minnesota State High School League, the Minnesota Human Rights Act and the Minnesota Constitution, all protect students' right to participate in athletics consistent with their gender identity or expression in an environment free from discrimination.



Scan this QR code for more information and resources, including case citations and advocacy letters!

Transgender students in Minnesota are legally entitled to:

Use the restrooms and locker rooms that align with their gender identity and cannot be forced to use segregated bathroom and/or locker room facilities.

N.H. v. Anoka-Hennepin Sch. Dist. No. 11, 950 N.W.2d 553 (Minn. Ct. App. 2020); Minn. Stat. § 363A.13, subd. 1; Minn. Const. Art. I § 2. See also Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681(a). See, e.g. Grimm v. Gloucester County School Board, 972 F.3d 586 (4th Cir. 2020); Whitaker v. Kenosha, 858 F.3d 1034 (7th Cir. 2017).

Participate in all school-related activities. Schools should not treat students differently because they are transgender, non-binary, or gender non-conforming, and students are allowed to participate in school activities that align with their gender identity.

The Minnesota Human Rights Act states that “[i]t is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby.” *Minn. Stat. § 363A.13 subd1.*

Participate on teams that align with their gender identity. The Minnesota State High School League allows all students, regardless of their gender, to participate in sports and play on teams that align with their gender identity.

MSHSL Official Handbook, 300.00 Bylaws: Administration of Student Eligibility, 2020-20201, 300.03. See also Minn. Stat. § 363A.13, subd. 1; Minn. Const. Art. I § 2; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681(a).

Be protected from bullying. The Minnesota Human Rights Act protects all LGBTQ+ students from a hostile school environment.

Minn. Stat. § 363A.13, subd. 1. Additionally, the Safe and Supportive Minnesota Schools Act requires schools to adopt policies that prohibit harassment and bullying, including harassment and bullying based on sex, gender identity, gender expression and sexual orientation. Minn. Stat. § 121A.031 subd. 2(g).

The Minnesota Department of Education further recommends that:

School faculty and staff should respect students’ names and pronouns. The Minnesota Department of Education Safe and Support Schools Toolkit states:

“Schools should not assume a student’s name, gender identity or pronoun. School officials should ask the student and use the requested name and pronouns. Students need not provide schools with legal documents to correct their first name or gender within their student records. When students are referred to by the wrong pronoun by peers or school staff, students may feel intimidated, threatened, harassed or bullied. School staff can ensure a more respectful environment for all students when efforts are made to correct the misuse of pronouns, as well as names, in student records.”

Minnesota schools should be aware that pronoun usage impacts a significant number of students. In a 2020 study, The Trevor Project found that 1 in 4 LGBTQ youth use pronouns that fall outside of the binary construction of gender.

GENDER
JUSTICE