



Transgender and Gender Nonconforming Students' Rights

What is gender identity?

Gender identity means a person's internal feelings of being a man, woman, both, or neither.

Everyone has a gender identity. Your gender identity may or may not match with the sex listed on your birth certificate. Your gender identity may or may not be visible to other people. There are no rules about your appearance based on your gender identity.

No one in Minnesota can be discriminated against based on gender identity. Students who consider themselves to be transgender and/or gender non-conforming are also protected under Minnesota law.

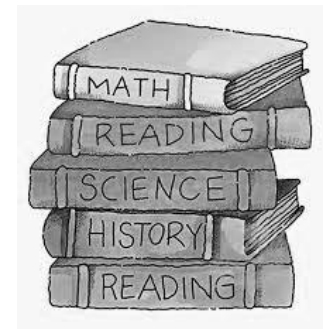
Note: This may change depending on what the court decides in the future. For now it is still the law.

The First Amendment may mean that religious-based schools can make policies that prohibit students from expressing their gender identity. This is not true for public schools.

Your Right to Education

Every student in Minnesota has the right to an education. Your gender identity does not make that right any different or less.

All students have the right to go to school in a safe and supporting environment.



Can I be forced to use a bathroom or locker-room that goes against my gender identity?

Generally, no. Under Minnesota law, you can use bathrooms and locker rooms in line with your gender identity. Making a transgender student use a different bathroom or locker-room because of their gender identity is discrimination and is not allowed.

Can I be denied the right to play on a sports team because of my gender identity?

Currently, no. If your school is part of the Minnesota State High School League states, their current policy is that all students can take part in sports that are in line with their gender identity or expression. Making a transgender or gender nonconforming student play on a team that goes against their gender identity is not allowed.



Note: new guidance from the federal government has come out that may change this after legal challenge.

Can the school enforce a gender-specific dress code?

Generally, no. Current law says that dress codes must be the same, no matter what the person's gender is. If a transgender or gender non-conforming student is being singled out for not following the dress code, there may be a discrimination complaint. Also, the [Minnesota Human Rights Act \(MHRA\)](#) states that transgender or gender non-conforming students can't be left out of school events, such as dances, concerts, or other formal occasions because their clothing is not the same as stereotypical clothes for a particular gender.

Can I be discriminated against or bullied because of my gender identity?

No! All Minnesota students are protected against harassment, discrimination, and bullying.

There are laws in Minnesota that protect all students from harassment, discrimination, and bullying based on sex, gender identity, and sexual orientation. This includes bullying based on using a different name, wearing different clothes, or socially or medically transitioning. Schools will have their own policies on how to report discrimination at schools and their investigation procedures under the [Safe and Supportive Minnesota Schools Act](#).

Who should I talk to or contact if I'm being discriminated against, harassed, or bullied?

Try talking to your teacher, principal, or other trusted adult. They may talk about safety planning to work on preventing bullying, harassment, or discrimination within the school or online. Individual districts may have more specific policies on gender identity.

You can also talk to the [Minnesota Department of Human Rights](#). Call them at: 651-539-1121.



Developed in collaboration with the SMRLS' Education Law Advocacy Project (ELAP).



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