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## LGBTQ Youth: Anti-Bullying Laws

No updates required since January 1, 2024

### What’s in this document (click to jump to that section)

<b>Background</b> .....	2
<b>Equality Map &amp; Additional Resources</b> .....	2
<b>Summary Table</b> .....	3
<b>Chronology</b> .....	4
<b>State-by-State Sources &amp; More Detail</b> .....	5

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## Background

**Anti-Bullying Laws:** These laws protect students from being bullied by other students, teachers, and school staff on the bases of characteristics such as, but not limited to, sexual orientation and gender identity. Some states also prohibit bullying on the basis of association with someone with a listed characteristic, such as bullying a non-LGBTQ student because they have a friend or family member who is LGBTQ.

While some states, districts, and schools have non-enumerated anti-bullying laws or policies—policies that generally prohibit bullying, but do not list specific characteristics like race or sexual orientation upon which a student might be bullied—research by [GLSEN](#) finds that such general laws have no impact on rates of bullying. Therefore, only policies that explicitly enumerate sexual orientation and/or gender identity are included here.

**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 marginalized students from bullying or discrimination.

## Equality Map & Additional Resources

- See our [Equality Map: Anti-Bullying Laws](#), which is updated and maintained in real time alongside this document.
- [StopBullying.Gov](#). Includes state-by-state information.
- Centers for Disease Control and Prevention (CDC). 2018. [Anti-Bullying Policies and Enumeration: An Infobrief for Local Education Agencies](#). CS292530.
- GLSEN. 2015. [From Statehouse to Schoolhouse: Anti-Bullying Policy Efforts in U.S. States and School Districts](#).
- GLSEN. 2019. [The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender and Queer Youth in Our Nation's Schools](#).
- U.S. Department of Education. 2011. [Analysis of State Bullying Laws and Policies](#). Appendix B includes detailed legislative history for states.



### Summary Table

Category	States	Bill	Year
<b>State law prohibits bullying on the bases of sexual orientation and gender identity</b> <i>(21 states + D.C.)</i>	Arkansas	<a href="#">SB 892</a>	2011
	California	<a href="#">AB 9</a>	2011
	Colorado	<a href="#">HB 11-1254</a>	2011
	Connecticut	<a href="#">SB 1138</a>	2011
	District of Columbia	<a href="#">Law 19-167</a>	2012
	Hawai'i	<a href="#">HB 688</a>	2011
	Illinois	<a href="#">SB 3266</a>	2010
	Iowa	<a href="#">SF 61</a>	2007
	Maine	<a href="#">LD 1237</a>	2012
	Maryland	<a href="#">HB 199</a>	2008
	Massachusetts	<a href="#">H 3909</a>	2014
	Minnesota	<a href="#">HF 826</a>	2014
	Nevada	<a href="#">SB 504</a>	2015
	New Hampshire	<a href="#">HB 1523</a>	2010
	New Jersey	<a href="#">A 1874</a>	2002
	New Mexico	<a href="#">SB 288</a>	2019
	New York	<a href="#">A3661</a>	2010
	North Carolina	<a href="#">SB 526</a>	2009
	Oregon	<a href="#">HB 2599</a>	2009
	Rhode Island	<a href="#">S 732</a>	2011
Vermont	<a href="#">S 313</a> (sexual orientation) <a href="#">S 57</a> (gender identity)	1994 2007	
Washington	<a href="#">HB 1444</a> (sexual orientation) <a href="#">HB 1059/SB5952</a> (gender identity)	2002 2009	
<b>State law prohibits bullying on the basis of sexual orientation only</b> <i>(2 territories)</i>	Guam	<a href="#">Bill 41-31</a>	2011
	U.S. Virgin Islands	<a href="#">Bill 30-0013</a>	2014
<b>State regulation or teacher code, but not state law, prohibits bullying on the bases of sexual orientation and gender identity</b> <i>(2 states + 2 territories)</i>	Utah	<a href="#">R277-613</a>	2018
	Northern Mariana Islands	<a href="#">Regulations CR33-06 31720</a>	2011
	Puerto Rico	<a href="#">Dept of Education Policy</a>	2017
	West Virginia	<a href="#">Rule 126-099</a>	2011, updated 2019
<b>No state law or policy regarding anti-bullying for LGBTQ students</b> <i>(25 states + 1 territory)</i>	All others	-	-
<b>Negative law: State law prevents schools or districts from adding LGBTQ protections to anti-bullying policies</b> <i>(2 states)</i>	Missouri	<a href="#">SB 894</a>	2006
	South Dakota	<a href="#">SB 130</a>	2012



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## Chronology

### Order of Laws (Not Including Regulations)

(by date of governor signature; not by effective date)

*Note, in this list, a state is not counted in the numbering until it has both sexual orientation and gender identity protections. Bills include both sexual orientation and gender identity unless otherwise specified. This list does not include regulatory protections.*

1994

Vermont – [S313](#) – May 26, 1994 – sexual orientation only

2002

Washington – [HB1444](#) – March 27, 2002 – sexual orientation only

1. New Jersey – [A1874](#) – September 6, 2002

2007

2. Iowa – [SF61](#) – March 5, 2007

3. Vermont – [S57](#) – May 22, 2007 – adding gender identity

2008

4. Maryland – [HB199](#) – May 13, 2008

2009

5. Washington – [HB1059](#) – April 23, 2009 – adding gender identity

6. Oregon – [HB2599](#) – June 12, 2009

7. North Carolina – [SB526](#) – June 30, 2009

2010

8. New Hampshire – [HB1523](#) – June 10, 2010

9. Illinois – [SB3266](#) – June 28, 2010

10. New York – [A3661](#) – September 13, 2010

2011

Guam – [Bill 41-31](#) – March 9, 2011 – sexual orientation only

11. Arkansas – [SB892](#) – April 1, 2011

12. Colorado – [HB11-1254](#) – May 13, 2011

13. Rhode Island – [S732](#) – June 30, 2011

14. Hawai'i – [HB688](#) – July 11, 2011

15. Connecticut – [SB1138](#) – July 13, 2011

16. California – [AB9](#) – October 9, 2011

2012

17. Maine – [LD1237](#) – May 21, 2012

18. Washington D.C. – [Law 19-167](#) – June 22, 2012



#### 2014

19. Minnesota – [HF826](#) – April 9, 2014
20. Massachusetts – [H3909](#) – April 24, 2014
- U.S. Virgin Islands – [Bill 30-0013](#) – April 24, 2014 – sexual orientation only

#### 2015

21. Nevada – [SB504](#) – May 20, 2015

#### 2019

22. New Mexico – [SB288](#) – April 3, 2019

## State-by-State Sources & More Detail

### Alabama

- State anti-bullying law does not enumerate sexual orientation or gender identity

### Alaska

- State anti-bullying law does not enumerate sexual orientation or gender identity

### Arizona

- State anti-bullying law does not enumerate sexual orientation or gender identity

### Arkansas

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [ACA § 6-18-514](#) and [SB892](#) (2011)

### California

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [Cal. Edc. Code § 234.1\(b\)](#) and [AB9](#) (2011, effective 7/1/2012)

### Colorado

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [CRS 22-32-109.1](#), [CRS 22-32-109\(1\)\(II\)\(I\)\(A\)](#) (characteristics), and [HB11-1254](#) ([May](#) 2011)

### Connecticut

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [Conn. Gen. Stat. § 10-222d](#) or [SB1138](#) (2011)



#### Delaware

- State anti-bullying law does not enumerate sexual orientation or gender identity
- However, [HB 268](#) (2012) requires that school staff investigate whether bullying incidents were motivated by particular characteristics, including sexual orientation and gender identity ([DCA Title 14 § 4161](#), [DCA Title 14 § 4164\(b\)\(2\)f](#)). This is not itself an anti-bullying law, but focuses on bullying-related investigation and data. The law also requires the state to create a model bullying prevention policy, but that model policy is generic (non-enumerated). See also the U.S. Department of Education's [StopBullying](#) analysis, noting that the state's anti-bullying law has no protected or enumerated categories.

#### District of Columbia

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [DC Code § 2-1535.01](#) and [Bill 19-743/Law 19-167](#) (2012)

#### Florida

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Georgia

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Hawai'i

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [HB 688](#) (2011), as well as [HAC §8-19-2](#) (see definition of harassment), [Hawai'i State Board of Education's Policy 305-10](#), and [Student Safety and Welfare Policy 4211](#) (2008)

#### Idaho

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Illinois

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [105 ILCS 5/27-23.7](#) and [SB3266](#) (2010)

#### Indiana

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Iowa

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [Iowa Code § 280.28](#) and [SF61](#) (2007)

#### Kansas

- State anti-bullying law does not enumerate sexual orientation or gender identity



#### Kentucky

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Louisiana

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Maine

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [MRS 20-A §6554](#) and [LD1237](#) (2012).

#### Maryland

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [MCA §7-424](#) and [HB199](#) (2008).

#### Massachusetts

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [MGL 71 § 370](#) and [H3909](#) (2014)

#### Michigan

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Minnesota

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [Minn. Stat. § 363A.08](#) and [SF783/HF826](#) (2014)

#### Mississippi

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Missouri

- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law prohibits schools or districts from adding LGBTQ (and other) protections to their anti-bullying and anti-discrimination policies. See [Mo. Rev. Stat. § 160.775.3](#) and [SB894](#) (2006)

#### Montana

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Nebraska

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Nevada

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [NRSA § 388.122](#) and [SB504](#) (2015)



#### New Hampshire

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [NH RSA §193-F](#) and [HB1523](#) (2010)

#### New Jersey

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [NJS § 18A:37-14](#) and [A1874/S149/PL2002c83](#) (2002, including sexual orientation and gender identity), later expanded by [A3466/S2392/PL2010c122](#) (2011)

#### New Mexico

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [NMAC 6.12.7.7](#) and [SB288](#) (2019)
- Formerly, school regulation or teacher code prohibited bullying on the basis of sexual orientation only. See [New Mexico Administrative Code § 6.12.7](#) (2006)

#### New York

- State law prohibits bullying on the bases of sexual orientation and gender (defined to include gender identity)
- See [NY EDN § 11](#) and [AB 3661](#) (2010)

#### North Carolina

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See [NC General Statutes § 115C-407](#) and [SB526](#) (2009)

#### North Dakota

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Ohio

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Oklahoma

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Oregon

- State law prohibits bullying on the bases of sexual orientation, defined to include gender identity
- See [ORS § 339.351-339.364](#), [HB3403](#) (2001, establishing anti-bullying law), [HB2637](#) (2007, adding cyberbullying) and [HB2599](#) (2009, adding sexual orientation, defined in state law to include gender identity)





#### Pennsylvania

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Rhode Island

- Law prohibits bullying on the bases of sexual orientation and gender identity
- See [16 R.I. Gen. Laws § 16-21-33](#) and [S732](#) (2011)

#### South Carolina

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### South Dakota

- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law prohibits schools or districts from adding LGBTQ (and other) protections to their anti-bullying and anti-discrimination policies. See [S.D. Codified Laws § 13-32-14](#) and [SB130](#) (2012)

#### Tennessee

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Texas

- State anti-bullying law does not enumerate sexual orientation or gender identity

#### Utah

- State anti-bullying law does not enumerate sexual orientation or gender identity
- School regulation or teacher code prohibits bullying on the bases of sexual orientation and gender identity. See [Education Rule 277-613](#) (2018).

#### Vermont

- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of a family member with a listed characteristic
- See [Vt. Stat. Ann. tit. 16, § 11, S313](#) (1994, defining “harassment” to include sexual orientation), and [S51](#) (2007, adding gender identity)



## Virginia

- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law ([HB 145/SB 161](#) (2020)) requires school boards to adopt a policy “consistent with” or “more comprehensive than” the state’s model policy on the treatment of transgender students, which includes “prevention of and response to bullying and harassment” (§22.1-23.3 (2020)). The VA Department of Education’s [2021 model policy](#) was evidence-based and explicitly included both sexual orientation and gender identity in its anti-bullying protections. However, within that first year, relatively few school districts 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

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See [RCW 28A.300.285](#) and [RCW 9A.36.080](#). See [HB1444](#) (2002), defining bullying to include characteristics in RCW 9A.36.080(3), which at the time included sexual orientation (see [HB 1569](#), 1993). In 2009, [HB1059](#) added gender identity to the definition of sexual orientation, and [SB5952](#) clarified this new definition also applied to RCW 9A.36.080 (effectively adding gender identity to the anti-bullying law protections).

## West Virginia

- State anti-bullying law does not enumerate sexual orientation or gender identity
- School regulation or teacher code prohibits bullying on the bases of sexual orientation, gender identity, and association with someone with a listed characteristic
- See [126 CSR 099](#), also known as Policy 4373 ([initially filed](#) Dec 2011, effective July 1, 2012; see p51 for enumeration) ([updated](#) July 2019 but still including SOGI, see p25)

## Wisconsin

- State anti-bullying law does not enumerate sexual orientation or gender identity

## Wyoming

- State anti-bullying law does not enumerate sexual orientation or gender identity

## U.S. Territories

### American Samoa

- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- See American Samoa’s [Compilation of School Discipline Laws and Regulations](#) (as of 2021)



#### Guam

- Territory law prohibits bullying based on sexual orientation only
- See [Bill 41-31](#), p18 (2011)

#### Northern Mariana Islands

- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- Territory regulation prohibits bullying on the bases of sexual orientation and gender identity
- See Admin Code [§ 60-20-403](#), p29, and [Regulations CR33-06 31720](#) (2011; starting on pdf page 82, numbered page 031720)

#### Puerto Rico

- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- Territory agency policy prohibits bullying on the bases of sexual orientation and gender identity
- See Puerto Rico Department of Education's [policy prohibiting discrimination and bullying](#), including based on sexual orientation and gender identity (2017). See also Puerto Rico's [Students' Bill of Rights](#) (2012) which guarantees equal educational opportunity to all students and explicitly includes sexual orientation and gender identity, though it does not explicitly prohibit bullying. See also Stopbullying.gov's [Puerto Rico page](#), which also describes the territory as only listing specific groups (e.g., sexual orientation or gender identity) in its departmental policy on bullying, not in the territory's law.

#### U.S. Virgin Islands

- Territory law prohibits bullying based on sexual orientation only
- See [17 V.I.C. §782](#) and [Bill 30-0013](#) (2014)