

KNOW YOUR RIGHTS

TRANS AND GENDER DIVERSE STUDENTS

Every student deserves to feel safe, respected, and affirmed in their identity at school. Gender identity and how you express it is a personal decision and an important part of who you are. Whether you identify as cisgender, transgender, nonbinary, or gender non-conforming, your school should be a place where you are welcomed just as you are.

Transgender and gender-diverse youth have increasingly been the target of harmful rhetoric and policies across the country. Despite these attacks, students in Nevada have rights. Our state has taken meaningful steps to ensure that all students, regardless of their gender identity or expression, are protected from discrimination and bullying, and that their privacy and dignity are respected in the classroom and on campus.

This guide is not legal advice, but is intended to empower students and their families with the knowledge they need to advocate for a safe and supportive learning environment. At a time when transgender and gender diverse students are being singled out for political gain, it's more important than ever to Know Your Rights.

Do LGBTQ+ Students Have the Same Rights in Private, Charter, and Public Schools?

No. Private schools are not required to uphold many of the rights guaranteed to students in public schools such as protections against discrimination based on sexual orientation or gender identity. Public charter schools however are still required to follow state education and anti-discrimination laws, even if their internal policies differ from traditional public schools. Students in charter schools are still entitled to a safe learning environment free from discrimination.

Can Schools Control How I Express My Gender Through Dress or Appearance?

No. The Nevada Constitution protects your right to express your gender identity through your clothing, hairstyle, and other aspects of your appearance, even in schools that have gender-specific dress codes. Any restrictions a school places on student dress must be justified by a legitimate educational interest.

Nevada state regulations make it clear that public schools cannot discriminate against students based on their gender identity or expression. This includes how students dress at school events, dances, yearbook

photo sessions, and graduation ceremonies.

Can My School Stop Me from Creating an LGBTQ+ Student Club?

No. Under Nevada law, students have the right to establish a Gender Sexuality Alliance (GSA) or other LGBTQ+-themed student clubs. Schools cannot treat these clubs differently from other non-curricular clubs.

Can My School Tell Me Who I Can Bring to Prom or Other School Events?

No. Public schools in Nevada cannot restrict who you bring to school dances such as prom or homecoming based on sex or gender identity. You have the right to bring the date of your choice. Schools are also prohibited from discriminating against LGBTQ+ students at any school-sponsored event, including assemblies, ceremonies, or extracurricular activities.

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Can I Choose What Name and Pronouns My School Uses for Me?

Nevada law requires every school district to establish policies that ensure a safe and respectful learning environment for transgender and gender-diverse students. One of the most powerful tools available to students and their families is an Individualized Gender Support Plan.

Each district must have a process for families to work with schools to determine how a student's name and pronouns will be used in school, including for school ID's, attendance records, written communications, and at school events.

It is the responsibility of the student's family to initiate the process for creating this plan.

Some of the state's largest school districts, such as Clark County and Washoe County, have policies that allow students to choose clothing and cap and gown combinations that align with their gender identity for graduation. These policies also require the use of a student's preferred name during ceremonies and public events.

Can My School Out Me Without My Permission?

Students have the right to keep their sexual orientation or gender identity private. Schools may not disclose this information without the student's consent, unless required by law (i.e. for official records).

Can I Use the Bathroom or Locker Room That Matches My Gender?

Students have the right to use restrooms and locker rooms that match their gender identity, as outlined in their gender support plan. Schools may not force a student to use separate facilities unless the student themselves request it.



What Protections Do I Have Against Bullying and Harassment?

Nevada schools have a legal responsibility to protect students from harassment. Schools must address bullying and harassment based on sexual orientation or gender identity when it creates a hostile environment. Repeated mis-gendering or dead-naming of a student may constitute legal harassment if it is severe or pervasive.

Schools are also obligated to address cyberbullying and other forms of bullying. Students who engage in these behaviors may face disciplinary actions.

Find more Know Your Rights guides or request a training at aclunv.org/KYR.

