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LGBTQ Youth: Anti-Bullying Laws

No updates required since January 1, 2024

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Recommended citation:

Movement Advancement Project. “Equality Maps: Safe Schools Laws.” www.mapresearch.org/equality-maps/safe_school_laws. Accessed [date of access].



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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
State law prohibits bullying on the bases of sexual orientation and gender identity <i>(20 states + D.C.)</i>	Arkansas	SB 892	2011
	California	AB 9	2011
	Colorado	HB 11-1254	2011
	Connecticut	SB 1138	2011
	District of Columbia	Law 19-167	2012
	Illinois	SB 3266	2010
	Iowa	SF 61	2007
	Maine	LD 1237	2012
	Maryland	HB 199	2008
	Massachusetts	H 3909	2014
	Minnesota	HF 826	2014
	Nevada	SB 504	2015
	New Hampshire	HB 1523	2010
	New Jersey	A 1874	2002
	New Mexico	SB 288	2019
	New York	A3661	2010
	North Carolina	SB 526	2009
	Oregon	HB 2599	2009
	Rhode Island	S 732	2011
	Vermont	S 313 (sexual orientation) S 57 (gender identity)	1994 2007
Washington	HB 1444 (sexual orientation) HB 1059/SB5952 (gender identity)	2002 2009	
State law prohibits bullying on the basis of sexual orientation only <i>(2 territories)</i>	Guam	Bill 41-31	2011
	U.S. Virgin Islands	Bill 30-0013	2014
State regulation or teacher code, but not state law, prohibits bullying on the bases of sexual orientation and gender identity <i>(3 states + 2 territories)</i>	Hawai'i	Policy 305-10	2008 (as Policy 4211, updated 2015)
	Northern Mariana Islands	Regulations CR33-06 31720	2011
	Puerto Rico	Dept of Education Policy	2017
	Utah	R277-613	2018
	West Virginia	Rule 126-099	2011, updated 2019
No state law or policy regarding anti-bullying for LGBTQ students <i>(25 states + 1 territory)</i>	All others	-	-
Negative law: State law prevents schools or districts from adding LGBTQ protections to anti-bullying policies <i>(2 states)</i>	Missouri	SB 894	2006
	South Dakota	SB 130	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. Connecticut – [SB1138](#) – July 13, 2011
 15. California – [AB9](#) – October 9, 2011

2012

16. Maine – [LD1237](#) – May 21, 2012
17. Washington D.C. – [Law 19-167](#) – June 22, 2012



2014

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

2015

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

2019

- 21. 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 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 [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)
- Note, [HB 688](#) (2011) requires the state department of education to report on bullying-related regulations, but is not itself an anti-bullying law.

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)