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Rights of LGBTQ Youth in Vermont

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Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Youth have rights. Know your rights! If you have questions or need help, just contact GLAD Answers by email or live chat at www.GLADAnswers.org or by phone at (800) 455-GLAD (4523). A friendly volunteer will assist you 1-on-1. It is free and totally confidential.

IF YOU ARE A PUBLIC SCHOOL STUDENT

LGBTQ youth have the right to attend school in safety and free from discrimination and harassment based on their sexual orientation or gender identity or expression.

- LGBTQ youth must have equal access to and be allowed to participate on equal terms in all school programs, including extracurricular activities.
- Schools must keep LGBTQ youth safe from bullying, harassment and violence by teachers and staff, or other students.
- Bullying is defined as: an act (including an electronic one) directed against a student by another student or group of students that:
 - is repeated over time;
 - is intended to ridicule, humiliate or intimidate; and
 - substantially interferes with a student's right to a safe education regardless of whether it happens on or off school grounds.

NOTE: Vermont's anti-bullying law also applies to some private schools.

- Harassment is defined as: verbal, written, visual or physical conduct (including by electronic means) motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, **sexual orientation, gender identity** or disability (which includes **HIV status**) that is intended to:

- substantially interfere with educational performance or access to school resources;
or
- create an intimidating or hostile environment.

NOTE: Vermont's anti-harassment policy applies to some private schools.

- Schools must adopt anti-bullying and anti-harassment policies, and each year students and parents must be given notice of those policies. This also applies to some private schools.
- LGBTQ youth have the right to be open about their sexual orientation and gender identity and expression.
- Schools must respect the gender identity of transgender students, including allowing you to dress and present yourself in a manner consistent with your gender identity.
- Students have the right to form extracurricular groups, such as Gay-Straight Alliances on the same terms and with the same privileges and resources as all other extracurricular groups (some private school students also have this right).
- LGBTQ youth have the right to free speech and expression, including the right to express ideas respectfully that may offend others, and to disagree with others.
- Any school, public or private, which receives federal funds may not discriminate on the basis of sex or HIV status. Sometimes the harassment of a gay or transgender student will be sexual harassment, which is forbidden by the federal law known as Title IX.
- Students have the right to learn about LGBTQ issues and must have access to information and resources about LGBTQ issues and people, including educational websites, regardless of objecting school officials or parents.

IF YOU ARE IN THE CHILD WELFARE SYSTEM

LGBTQ youth have the right to safe and appropriate placements in the child welfare system, free from discrimination and harassment based on their sexual orientation or gender identity or expression.

- LGBTQ youth have the right to be free from harassment and abuse based on actual or perceived sexual orientation or gender identity or expression in foster care placements. This means that youth should be protected from both physical and emotional harm in their placements, and should be placed with caretakers who will ensure their safety and wellbeing outside the home.
- LGBTQ youth have the right to be open about their sexual orientation and gender identity and expression.

- Transgender youth have the right to be identified by the name and pronouns that accord with his or her gender identity and to wear clothing consistent with his or her gender identity.
- LGBTQ youth have the right to be free from religious indoctrination that condemns or disparages their sexual orientation or gender identity or expression.

LGBTQ youth have the right to equal treatment and to access appropriate services for their sexual orientation or gender identity or expression while in the child welfare system.

- LGBTQ youth must have access to appropriate medical or mental health care, and should not be forced to undergo improper or disreputable services damaging to their wellbeing, such as reparative or conversion therapy.
- LGBTQ youth should be treated equally to heterosexual and gender conforming youth, including with regard to age appropriate displays of affection.
- LGBTQ youth should have access to supportive materials and resources.

IF YOU ARE IN THE JUVENILE JUSTICE SYSTEM

LGBTQ youth have the right to safe and appropriate placements in the juvenile justice system free from discrimination and harassment based on their sexual orientation or gender identity or expression.

- LGBTQ youth are entitled to protection from physical, emotional or sexual abuse by other youth or facility staff.
- A facility's response to harassment or violence against an LGBTQ youth cannot be to move the LGBTQ youth to a more restrictive facility or to isolate the LGBTQ youth.
- LGBTQ youth cannot be segregated or classified as sex offenders based on myths that LGBTQ youth will prey on other youth.
- LGBTQ youth have the right to be open about their sexual orientation and gender identity and expression.
- Transgender youth have the right to be identified by the name and pronouns that accord with their gender identity and to wear clothing consistent with their gender identity.

LGBTQ youth have the right to equal treatment and to access appropriate services for their sexual orientation or gender identity or expression while in the juvenile justice system.

- LGBTQ youth must have access to appropriate medical or mental health care, both for general services and for any medical services that may be unique to LGBTQ youth.
- LGBTQ youth should not be forced to undergo improper or disreputable services damaging to their wellbeing, such as reparative or conversion therapy.
- LGBTQ youth may not be disciplined for engaging in age-appropriate romantic or sexual conduct that would not be punishable between two different-sex youth.
- LGBTQ youth have the right to be free from religious indoctrination by facility staff that condemns or disparages their sexual orientation or gender identity or expression.

That's a lot of rights!! If you need help sorting this out, have questions or a situation you need help with, GLAD is here to help. Just contact GLAD Answers by email or live chat at www.GLADAnswers.org or call our toll-free number, 800-455-GLAD (4523). A friendly volunteer will assist you—it's free and confidential. We just want to help you know your rights and know what to do if someone isn't respecting them.

ADDITIONAL RESOURCES

PROTECT YOUR RIGHTS

GLAD Answers:

Call: (800) 455-GLAD (4523)

Email or Live Chat: www.GLADAnswers.org

Vermont Human Rights Commission

(800) 416-2010

www.hrc.vermont.gov

Vermont Department of Education

(802) 828-3135

<http://education.vermont.gov/>

US Department of Education Office for Civil Rights
(617) 289-0111
OCR.Boston@ed.gov

KNOW MORE ABOUT YOUR RIGHTS

The text of the Vermont anti-bullying and anti-harassment laws:
<http://bit.ly/vtbullyinglaw>

GLAD's Vermont students' rights webpage: <http://bit.ly/vtstudentrights>

GLAD's webpage on student rights: <http://bit.ly/gladstudentrights>

LOCAL LGBTQ YOUTH GROUPS

Outright Vermont
(802) 865-9677 (general)
info@outrightvt.org
www.outrightvt.org/wordpress

PFLAG

- *Burlington/Champlain Valley Chapter*
(802) 863-4285
venner@burlingtonelecom.net
- *White River Junction Chapter*
(802) 295-7064

Youth Catalytics
(802) 425-3006
www.youthcatalytics.org

OTHER RESOURCES YOU CAN USE

R.U. 1.2? Community Center

(802) 860-7812

thecenter@ru12.org

www.ru12.org

Vermont Department of Health, Services for People Living with HIV/AIDS

AIDS Hotline: (800) 882-2437

(802) 863-7245 (general); 800-464-4343 (toll-free in-state)

<http://bit.ly/vthealthdeptaids>

Vermont Department of Health, Office of Minority Health

(802) 863-7288

minorityhealth@ahs.state.vt.us

<http://bit.ly/vthealthdeptminority>

Vermont Network Against Domestic Violence and Sexual Assault

(800) 228-7395

vtnetwork@vtnetwork.org

www.vtnetwork.org

The Trevor Project

Crisis/Support Line: (866) 488-7386

www.thetrevorproject.org

If your school doesn't take you seriously, if you find that any of your rights are not being respected or if you have *any* legal question, contact GLAD Answers by email or live chat at www.GLADAnswers.org or by phone at (800) 455-GLAD (4523).