



**Health and Education Justice Initiative**  
*Advancing justice in child health and well-being*

## KNOW YOUR RIGHTS: LGBTQ+ Students in Public Schools

### PRONOUNS



**What are pronouns?** A pronoun is a word used to refer to the people who are talking (like “I” or “you”) or a person being talked about in the third person (like “she/he,” “he/him” and “they/them”). Both cisgender and transgender people use pronouns to define their gender identity, and not everyone uses just one set of pronouns. The use of pronouns can create an affirming, inclusive environment for everyone.

**Did you know?** Intentionally misgendering or deadnaming a transgender or nonbinary person (by using a name they no longer use or a pronoun that doesn’t match how they identify) can be a form of harassment. School officials may claim they must use the name that appears on a student’s birth certificate or school registration. However, this is not always required, especially in everyday settings that are not tied to official records, like the classroom.

**What’s the law as it applies to public schools?** Missouri law does not forbid teachers or students from using pronouns that match a student’s gender identity. But the law also does not protect a student’s right to use those pronouns and even has certain restrictions. Legislation has been proposed, but not passed, that would require teachers and school officials to tell a student’s parent if the student requests to wear certain clothes or use pronouns that differ from their sex that was given at the time of enrollment.

#### As a parent, how can I provide support to my child?

- **Talk to the school.** Give teachers and school officials permission to use your child’s preferred pronouns and ask that they respect your child’s gender identity.
- **Create opportunities to share pronouns at home and in the community.** Use your child’s preferred pronouns and share your own when meeting new people.
- **Practice!** Be intentional about using your child’s correct pronouns and practice to increase your confidence. Help others by gently correcting them and save your child the burden of doing so. If you make a mistake, what’s important is to apologize and move on.

## **TRANSGENDER STUDENTS**

**What does it mean for someone to be transgender?** A transgender person is someone whose gender identity is different from the sex they were assigned at birth. For example, someone who was assigned female at birth but identifies as male is a “transgender male.”

**Can a transgender student in Missouri play on a school sports team that matches their gender identity?** Generally, no. Missouri law says that the student can only play on the team that matches the sex they were assigned at birth. However, a student who was assigned female at birth) may be able to play on a male sports team if no female team is available.



**Can a transgender student choose what bathroom to use?** The state does **not** have a general law guaranteeing that transgender students have the right to use bathrooms or locker rooms consistent with their gender identity, but litigation about this issue is ongoing. The Missouri Supreme Court recently said that a school district could prohibit a transgender male student from using men’s bathrooms at the school.

## **BULLYING & HARASSMENT**

**What is bullying?** Under Missouri law, bullying is intimidation, unwanted aggressive behavior, or harassment that is repetitive or substantially likely to be repeated and (1) causes a reasonable student to fear for their personal safety or property, or (2) substantially interferes with the educational performance, opportunities, or benefits of any student, or (3) substantially disrupts the orderly operation of the school.

**What is harassment?** Harassment is treatment that causes a hostile environment that is so severe, pervasive, or persistent that it interferes with or limits a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school. The key difference between bullying and harassment is why a student is being targeted. If a student is being targeted because they are a member of a “protected class,” they may be experiencing harassment.

A protected class is a certain group that receives special protection from the law because its members have faced and continue to face discrimination. Under federal law, one’s sexual orientation and gender identity are considered a protected class, so a student who is being bullied because of their sexual orientation or gender identity is a victim of harassment under federal law.

Missouri law is not as clear as federal law and likely does not currently have the same protections for LGBTQ+ students as federal law.