

LGBT Teens - What are my legal rights?

Issues at School

People at school call me names, pull pranks or make jokes that embarrass me in front of others. Sometimes they threaten me because of my sexual orientation or gender expression.

These things count as bullying.

The law says your school must protect you from harassment from other students – even when it happens off-grounds (if it affects you at school) or through texting, Facebook or any internet site. Teachers must submit a written report whenever they know about it, and the school must invite parents/guardians of the students involved to at least one meeting.

If this is happening to you, you can:

- Report it to a school employee anonymously.
- Your parent/guardian can file a written report with the school.
- Ask the school to give you or your parent/guardian a copy of their policy on bullying. This will help you know what they should be doing to protect you.

The school is required to investigate your report. If the school fails to investigate, your parent/guardian can:

- Call the State Department of Education at 860-713-6543.
- File a complaint with the local school board.
- File a complaint with the State Commission on Human Rights and Opportunities (www.state.ct.us/chro/) or the U.S. Department of Education, Office of Civil Rights (www.ed.gov/about/offices/list/ocr/complaintintro.html).

For more information, see our brochure “Beef, Drama, Static, Bullying.”

I think a teacher, coach or other school staff is treating me unfairly because of my sexual orientation or gender expression.

Connecticut schools have to protect LGBT students from harassment and discrimination just like all other students. For example, if you report being bullied at school, the school is not allowed to tell you that you caused this by being openly LGBT or dressing in a way that matches your gender expression.

If you think you have been discriminated against by your school because you are LGBT, you can:

- File a complaint with your Title IX coordinator at school. Ask your school who this is.
- File a complaint with the State Commission on Human Rights and Opportunities (www.state.ct.us/chro/) or the U.S. Department of Education, Office of Civil Rights (www.ed.gov/about/offices/list/ocr/complaintintro.html).
- Bring a lawsuit in state or federal court. Call us if you need information about this.

I am not allowed to use the girl's bathroom even though my gender expression is female.

Access to public facilities and privacy within these places, such as bathrooms and locker rooms at school, particularly for transgender students, is an area where the law is changing. We believe students should have access to the bathroom that matches their gender expression.

Because this is a new area of law, you will probably need an advocate to help you with this. Please call us if you need help.

Issues at Home

I came out to my parents and was kicked out.

Unfortunately, some LGBT teens have been kicked out of their homes. If you have, here are some of your rights:

Help from the Department of Children and Families (DCF) even if you are undocumented.

If you are under 18 and on your own because of neglect or abuse or you were kicked out of your home, you can call DCF for help at 1-800-842-2288 any time of the day or night. You can get help from DCF even if you are in the U.S. as an undocumented youth. DCF will not call Immigration (ICE, immigration enforcement).

Can I go to my same school if I don't live at home?

If you were kicked out of your house, you have the right to choose between the local school where you are now, the school you went to before you lost your housing, or the school where you were last registered. You have a right to get transportation back to your old school.

If you are a homeless student, you have the right to be registered immediately, even if you don't have proof of residency, immunizations, school records, or other documents. If the school disagrees with you, you still have the right to be registered immediately while the disagreement is worked out.

Can I apply for college and financial aid on my own?

If you're planning to attend college and are on your own, you can complete the FAFSA (financial aid application) without your parent's information. Call us if you need help.

Can I get medical care if I'm on my own?

Usually, the law requires that a parent/guardian give permission for a minor to get medical care. But, there are some times when you can do this on your own.

If you need to go to a clinic or a doctor for birth control, the morning after pill, abortion services, testing/treatment for sexually transmitted infections, or testing for HIV/AIDS, the law allows you to do these things without parental permission. For routine gynecological care, or other care involving sexual health, parental consent is usually not required. See our brochure, “Is It Confidential?”

Can I get cash assistance if I am homeless?

You cannot be turned away from applying for cash assistance, food stamps (Supplemental Nutrition Assistance Program or SNAP), or health insurance just because you are homeless. There are a lot of rules for each of these programs. As long as you fit into the rules, you can apply for these services through your local Department of Social Services (DSS) office. For more information, see our brochure, “I've Been Moving Around a Lot.”

Issues In Foster Care

My foster parents say that being Gay is wrong.

DCF has to make sure that LGBT children/youth are treated fairly, equally, and are not discriminated against. DCF staff and foster parents have to be sensitive and help LGBT teens in care.

If you are in DCF care and think you are being treated unfairly because of your sexual orientation or gender expression, please call your assigned lawyer, call the DCF Ombudsman's Office at 1-866-637-4737 or call the CCA Teen Legal Clinic at 860-570-5327 or 203-223-8975.

Issues in Detention

I am undergoing a gender transformation process and I'm afraid I'll be told I cannot continue to express my gender in detention.

Juvenile detention facilities cannot discriminate against LGBT youth. This includes your ability to express your gender.

You cannot be isolated from other youth solely because of your gender expression. However, the detention facility may assign you to a single room if you or the staff believes there is any threat to your safety.

As a general rule, juveniles in detention facilities will shower alone.

Please speak with your assigned lawyer or call our office if you experience discrimination on the basis of your sexual orientation or gender expression while you are in detention.

Our website has more information on the legal rights of youth in detention facilities. Go to www.kidscounsel.org/tlac_publications.htm and scroll down to “LGBT Youth.”

More Information

If you or someone you know has been harassed or discriminated against because of sexual orientation or gender expression and identity, there are laws to protect you.

For more information about your legal rights, call the CCA Teen Legal Clinic:

(860)570-5327 or (203)223-8975 or go to www.kidscounsel.org/tlac_publications.htm

These websites also offer information:

Gay Lesbian and Straight Education Network (GLSEN)
www.glsen.org

GLSEN Connecticut Chapter
<http://chapters.glsen.org/cgi-bin/iowa/connecticut/home.html>

True Colors
www.ourtruecolors.org

Gay & Lesbian Advocates & Defenders
www.glad.org

Lambda Legal Education and Defense fund
www.lambdalegal.org



Center for Children's Advocacy
65 Elizabeth Street, Hartford, CT 06105
www.kidscounsel.org