

LGBTQ+ Students and Employees: KNOW YOUR RIGHTS at Georgia Colleges and Universities

This information is being shared in response to some Georgia universities removing “sexual orientation” and “gender identity,” from their anti-discrimination policies.

What Are My Rights To Be Free From Discrimination as a Student, Staff, or Faculty?

Students, staff, and faculty members at ALL colleges and universities in Georgia remain protected from discrimination on the basis of sexual orientation and gender identity. All colleges and universities, as both employers and educational institutions, are obligated to prohibit discrimination based on sex in accordance with Title IX of the Education Amendments of 1972 (“Title IX”) and Title VII of the 1964 Civil Rights Act.

In 2020, in a case called Bostock v. Clayton County, the Supreme Court held that Title VII’s prohibition on discrimination “because of sex” includes discrimination because someone is gay or transgender. Courts routinely use Title VII case law when interpreting the meaning of Title IX’s prohibition on sex discrimination because the language is similar and they were written and enacted by Congress around the same time.

Additionally, the Eleventh Circuit Court of Appeals, which oversees federal courts in Georgia, held in a landmark case called Glenn v. Brumby that discrimination against someone on the basis of their gender-nonconformity is sex discrimination under the Equal Protection Clause. This case establishes important protections for transgender and gender non-conforming students, faculty, and staff under the U.S. Constitution.

What can I do if I experience discrimination at a Georgia college or university?

Students, staff, and faculty at any Georgia college or university that experience discrimination because of their gender identity, sexual orientation, or gender non-conformity can respond in the following ways as soon as possible:

- Report the incident(s) to the school’s Equal Opportunity Office.
- File a complaint of discrimination with the local city or county where the university is.
- Staff or faculty members can file a EEO complaint, a complaint with the Georgia Commission on Equal Opportunity, and a charge with the federal Equal Employment Opportunity Commission.
- All staff, students, and faculty can retain a private attorney to better advise them of their specific rights and to prosecute their claims.

Once you have filed a complaint, please report it at georgiaequality.org/complaints so that staff can monitor how many complaints are filed.