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2020 SESSION

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1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 22.1-23.3, relating to public*
3 *elementary and secondary schools; treatment of transgender students; policies.*

4
5 Approved [S 161]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 22.1-23.3 as follows:**

8 **§ 22.1-23.3. Treatment of transgender students; policies.**

9 *A. The Department of Education shall develop and make available to each school board model*
10 *policies concerning the treatment of transgender students in public elementary and secondary schools*
11 *that address common issues regarding transgender students in accordance with evidence-based best*
12 *practices and include information, guidance, procedures, and standards relating to:*

13 *1. Compliance with applicable nondiscrimination laws;*

14 *2. Maintenance of a safe and supportive learning environment free from discrimination and*
15 *harassment for all students;*

16 *3. Prevention of and response to bullying and harassment;*

17 *4. Maintenance of student records;*

18 *5. Identification of students;*

19 *6. Protection of student privacy and the confidentiality of sensitive information;*

20 *7. Enforcement of sex-based dress codes; and*

21 *8. Student participation in sex-specific school activities and events and use of school facilities.*
22 *Activities and events do not include athletics.*

23 *B. Each school board shall adopt policies that are consistent with but may be more comprehensive*
24 *than the model policies developed by the Department of Education pursuant to subsection A.*

25 **2. That the Department of Education shall develop and make available to each school board model**
26 **policies pursuant to subsection A of § 22.1-23.3 of the Code of Virginia, as created by this act, no**
27 **later than December 31, 2020.**

28 **3. That each school board shall adopt policies pursuant to subsection B of § 22.1-23.3 of the Code**
29 **of Virginia, as created by this act, no later than the beginning of the 2021-2022 school year.**

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