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MONTPELIER, Vermont. February 24, 2017. President Donald Trump's administration on February 22, 2017 reversed Obama-era policies requiring that public schools allow transgender students to use the bathroom that corresponds with their gender identity. These policies were an interpretation of Title IX of the Education Amendments of 1972 which prohibits discrimination on the basis of sex, including sexual orientation and gender identity. The reversal of the policy does not change the underlying federal law and does not affect how the law will be interpreted here in Vermont. Schools are places of public accommodation under Vermont's Fair Housing and Public Accommodations statute. The statute provides protections for Vermonters based on sex, sexual orientation and gender identity. Though federal policies may change or be less protective under the current Administration, Vermonters must still follow state law.

In a memo sent to Vermont Educators on February 23, 2017, Agency of Education Secretary Rebecca Holcombe stated that, "regardless of changes at the federal level with respect

transgender and gender nonconforming students, our VT guidance is still in effect. As always, the intent of the State of Vermont is to ensure the safety of all children first and foremost.”

Governor Scott stated: “Vermont remains committed to ensuring all students feel safe and welcome in their school. Our schools will continue to operate under the Vermont Agency of Education’s best practices, which are based on Vermont statute that protects individuals based on gender identity. These practices are not dependent on Federal law or guidance, so will not be impacted by changes in Washington.”

Transgender students, like all students, have the right to a school climate that is not only free from discrimination, bullying and harassment but also an environment that is safe, supportive, inclusive and validating. No Vermont school shall refuse, withhold from, or deny a transgender student any of the accommodations, advantages, facilities and privileges of that school.

Karen Richards, executive director of the Vermont Human Rights Commission (VHRC) said that the VHRC stands firmly behind the Agency of Education’s Continuing Best Practices for Schools Regarding Transgender and Gender Non-Conforming Students. Specifically, it is the VHRC’s position that all students have the right to use the bathroom and locker room that conforms to their chosen gender identity and to be addressed by the name and pronouns corresponding to their chosen gender identity. “The Vermont Human Rights Commission remains steadfastly committed to protecting the rights transgender students in schools and will vigorously investigate claims of discrimination,” Richards said.

Vermont has a deep-rooted tradition in remaining independent and progressive in matters of equal rights. It is in this tradition that gender identity was added as a protected category in Vermont’s anti-discrimination laws in employment, housing, public accommodations, insurance and credit services in 2007.

Attorney General Donovan stated: “It has been nearly ten years since Vermont outlawed gender identity discrimination. Since then, we’ve seen broad acceptance of Vermonters of all kinds and an overall embrace of our kids, who deserve our support. We will continue to support all of our kids and all Vermonters regardless of their gender identity. We will enforce our state laws against any one that attempts to deny Vermonters their right to fair treatment.”