

must allow students to form a GSA if they want to. The school has to treat the GSA the same as it does other non-curricular clubs.

- **BRING A SAME-SEX DATE TO PROM.** Your public school can't stop you from bringing a same-sex date to prom. If you attend public school and school officials tell you that you can't bring a same-sex date to prom, tell them about the case of *Aaron Fricke v. Richard B. Lynch* — you can find a copy of this case on our website.

YOU SHOULD CONTACT YOUR LOCAL ACLU OR THE ACLU'S LGBTQ & HIV PROJECT IF:

- You've reported harassment to your school and they've done little to stop it.
- A teacher, counselor, or any other school official tells, or threatens to tell, your parents or anyone else about your sexual orientation or gender identity, even after you've made it clear that this is against your wishes.
- Your school is trying to keep you from talking about your sexual orientation or expressing your beliefs about it.
- Your school tries to block a GSA from forming or treats it differently from other non-curricular clubs.
- School officials tell you that you can't bring a same-sex date to prom.

If you have any questions, visit aclu.org/safeschools for confidential information and resources.

**FOR MORE INFORMATION VISIT
WWW.ACLU-CO.ORG/NEED-LEGAL-HELP**

★ KNOW YOUR RIGHTS ★ LGBTQ+

DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATION AND HOUSING

- Colorado law prohibits discrimination in places of public accommodation and housing based on marital status or actual or perceived sexual orientation.
- According to the Colorado Anti-Discrimination Act, "sexual orientation" means heterosexuality, homosexuality (lesbian or gay), bisexuality, and transgender status.
- Discriminatory practices can come in many forms, including: terms of service; denial of full and equal service; intimidation; access; conditions; privileges; advertising; and retaliation.
- A place of public accommodation can include locations such as a bakery, florist, restaurant, hotel or motel; retail store; school; public transportation; recreational facility or park; and library.
- All public accommodations shall allow individuals the use of gender-segregated facilities that are consistent with their gender identity. Gender segregated facilities include, but are not limited to restrooms, locker rooms, dressing rooms, and dormitories.

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What this means for you is that a store owner, service provider, or landlord cannot refuse to provide service because of your sexual orientation, or gender identity.

If you experience this type of discrimination, document the following information:

- Name of the business and the representative(s) you talked to;
- Date and time the discrimination occurred;
- Statement of the events, including what the business representative said; and
- Names and contact information of other witnesses.

You have to act quickly! Contact the Colorado Civil Rights Division (CCRD) and file a Charge of Discrimination within 60 days.

The ACLU of Colorado wants to know when this kind of discrimination occurs. Please contact us and report the discrimination by sending an email to intake@aclu-co.org

EMPLOYMENT AND WORKPLACE:

- In May 2007, Governor Bill Ritter signed the expanded Employment Nondiscrimination Act to add protection for sexual orientation, including gender identity.
- This expanded law defines sexual orientation as heterosexuality, homosexuality, bisexuality, or transgender status.
- Under this Colorado law, it is illegal to consider sexual orientation or gender identity when making employment-related decisions, including hiring and firing, or any inquiries about an employee's sexual orientation or gender identity.
- This law applies to all employers, employment agencies, labor

organizations, on-the-job training, and vocational training programs and schools.

- Complaints must be filed within six months of the date of the alleged discriminatory action.

LGBTQ+ STUDENTS' RIGHTS

- **HARASSMENT.** Public schools are required under federal law to remedy the abuse and harassment of LGBTQ+ students. If the school learns of abuse or harassment and doesn't do anything to protect you, then it has been put on notice and can be held legally responsible. Keep a record of each time you were harassed—what happened, who was involved, and to whom you reported it.
- **PRIVACY.** Your school does NOT have the right to “out” you to anyone without your permission.
- **FREEDOM OF SPEECH.** You have a constitutional right to be out of the closet at school if you want to be. Your right to free expression includes your choice of clothes. If your school's code allows other students to wear t-shirts about their beliefs, it's illegal for them to ask you to take your t-shirt off because it has a rainbow or says something about gay pride. School dress codes have to treat all students equally — if the clothing you want to wear would be appropriate if worn by other students, then you should be able to wear that clothing. But a school can restrict an individual's speech when it causes significant disruption in the classroom.
- **FORM GAY STRAIGHT ALLIANCES.** The federal Equal Access Act says that if a public school permits non-curricular clubs, then it