

2022 SESSION

INTRODUCED

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HOUSE BILL NO. 988

Offered January 12, 2022

Prefiled January 12, 2022

A BILL to amend and reenact § 22.1-23.3 of the Code of Virginia, relating to treatment of transgender students; policies.

Patron—Wyatt

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-23.3 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-23.3. Treatment of transgender students; model policies.

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

1. Compliance with applicable nondiscrimination laws;

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

3. Prevention of and response to bullying and harassment;

4. Maintenance of student records;

5. Identification of students;

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

7. Enforcement of sex-based dress codes; and

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

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

2. That the Department of Education shall amend its model policies concerning the treatment of transgender students in public elementary and secondary schools that it developed and made available to each school board pursuant to Chapters 153 and 154 of the Acts of Assembly of 2020 to remove any information, guidance, procedures, standards, or other provisions relating to the use of school facilities and shall make such amended model policies available to each school board no later than the beginning of the 2022-2023 school year.

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