

Attorney General Raoul Files Briefs Protecting LGBTQ+ Rights

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CHICAGO – Attorney General Kwame Raoul filed two separate legal briefs this week rejecting an attack on federal LGBTQ+ anti-discrimination protections and opposing Florida’s controversial “Don’t Say Gay” law, which limits classroom discussions and has serious implications for LGBTQ+ students.



“Across the country, we are witnessing increased attacks on the rights of the LGBTQ+ community,” Raoul said. “Discrimination has no place in our society, and I will continue to partner with fellow attorneys general from across the country to stand up against hate and discrimination in all its forms.”

Raoul joined a coalition of 18 attorneys general in filing an amicus brief in Tennessee v. Department of Education supporting the rights of the more than 20 million lesbian, gay, bisexual and transgender Americans to live, work and pursue education free from discrimination. Under U.S. Supreme Court precedent, federal protections against sex-based discrimination guard against discrimination on the basis of sexual orientation and gender identity in both schools and the workplace. However, in a challenge to recent guidance issued by the U.S. Department of Education and the U.S. Equal Employment Opportunity Commission, a group of states led by Tennessee are asking the U.S. Court

of Appeals for the Sixth Circuit to undermine the established interpretation of the law and its protections against LGBTQ+ discrimination.

In the friend-of-the-court brief, [Raoul and the coalition highlight](#) the pervasive harms of such discrimination and urge the appellate court to reject the current attack on LGBTQ+ rights should the court address the substantive challenge raised by the plaintiffs. In the amicus brief, the coalition asserts:

- LGBTQ+ students and employees face myriad concrete harms that the challenged guidance is meant to prevent and redress.
- The guidance issued by the U.S. Department of Education and Equal Employment Opportunity Commission reflects clear precedent interpreting Title VII and Title IX.
- If the appellate court reaches the plaintiff states' substantive challenge to the guidance, it should uphold that guidance.
- Amici states have enacted numerous laws similar to the challenged guidance, providing important societal benefits without compromising privacy or safety.

Joining Raoul in filing the brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island and Washington.

Raoul also joined a separate coalition of 17 attorneys general opposing Florida's discriminatory "Don't Say Gay" law, which prevents classroom discussion of sexual orientation or gender identity, posing a serious threat to LGBTQ+ students who are particularly vulnerable to the harms caused by discrimination.

[Raoul and the coalition argue](#) Florida's new law is unconstitutional and causing significant harm to students, parents, teachers and other states. The coalition argues that non-inclusive educational environments have severe negative health impacts on LGBTQ+ students, resulting in increased rates of mental health disorders and suicide attempts not just in Florida, but throughout the country.

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