

Table 7.1 Title IX lawsuits related to gender and sexual orientation

Year	Case(s)	Issues
2000	<i>Ray v. Antioch Unified School District</i> (California) & <i>Montgomery v. Independent School District no. 709</i> (Minnesota)	school failed to protect students from anti-gay peer sexual harassment based on gender and perceived sexual orientation; staff knew about ‘repeated, severe, and pervasive’ harassment and were ‘deliberately indifferent’
2003	<i>Flores v. Morgan Hill Unified School District</i> (California)	school failed to protect multiple students (6 plaintiffs) from anti-gay peer sexual harassment; district staff knew about ‘repeated, severe, and pervasive’ harassment and were ‘deliberately indifferent’. \$1.1 million dollar settlement
2005	<i>Theno v. Tonganoxie Unified School District</i> (Kansas)	school failed to protect students from peer sexual harassment due to gender nonconformity; staff knew about ‘repeated, severe, and pervasive’ harassment and were ‘deliberately indifferent’. \$440,000 settlement
2017	<i>Whitaker v. Kenosha Unified School District</i> (Wisconsin)	Title IX and Equal Protection requires schools to respect students’ gender identity and access to sex-segregated facilities. \$800,000 settlement
2017, 2020	<i>G.G. v Gloucester County School Board</i> (Virginia)	Upholds DCL guidance allowing transgender students’ right to access sex-segregated facilities. \$1.3 million dollar settlement

2022	<i>Soule et al v. CT Association of Schools et al</i> (Connecticut)	Upholds DCL guidance for transgender students to compete in sport aligned with their gender. Case is listed as ongoing at the time of this writing.
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