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California Rural Legal Assistance, Inc.



FACT SHEET

Your Rights in California in Response to Federal Attacks

Authored by California LGBTQ+, Civil Rights, and Health Care Advocates

President Trump and his administration are openly targeting transgender, gender expansive, and intersex people for discrimination and erasure, and attempting to require recipients of federal funding to discriminate against transgender, gender expansive, and intersex people. Our organizations recognize how frightening these federal actions are for LGBTQ+ families and communities. We are doing everything in our power to protect and support our families and community in California, and we are fortunate that our state elected officials have also pledged and demonstrated several forms of support for our families and community.

For the time being, California's laws and federal law broadly protect LGBTQ+ Californians from discrimination. And several of our organizations are suing the Trump administration to try to prevent its harmful policies from taking effect. As the federal landscape evolves, we will do our best to keep our families and community informed of their rights.

This document is meant for community members and advocates, to help you understand what rights you and your loved ones have in California. You can use this information to advocate for yourself and others.

Disclaimers: This document is not legal advice. If you have a potential legal problem, you should promptly consult with an attorney about what options you may have and what time limits may apply. The law may change rapidly, and this document cannot be updated frequently, so the information and links in this document may have changed since the date of publication. The information and resources here focus on transgender and gender expansive rights in California; this is not a comprehensive list of all LGBTQ+ resources or protections available in our state.

1. What laws protect me or my transgender, gender diverse, or intersex child in California?

California has a number of laws that protect transgender, gender diverse, and intersex individuals in various settings, including at school, in employment, and in access to health care. Some of these laws are listed below.

- a. **General non-discrimination protections:** California prohibits business establishments (including nonprofits serving the public and health care providers) and government entities from discriminating against individuals on the basis of sex, gender identity, gender expression, sexual orientation, and transgender status. These laws also bar discrimination based on perceived sexual orientation or gender identity, and based on relationship to someone who is LGBTQ. [Cal. Civil Code § 51](#); [Cal. Gov. Code §§ 11135, 12926](#); [2 Cal. Code Reg. §§ 14000 et seq.](#)
- b. **Schools:** California prohibits public schools and non-religious private schools from discriminating on the basis of sex, gender, gender identity, gender expression, sexual orientation, and transgender status. Students have the right to go by their chosen name and pronouns, to express their gender, to participate in sports and other activities based on their gender, to use

restrooms based on their gender, and to update the name and gender on their records during or after schooling. [Cal. Education Code §§ 220, 221.5\(f\), 49062.5, 49070](#). [See here for more information](#).

California prohibits schools from requiring teachers and other school staff to disclose any information related to a student's sexual orientation, gender identity, or gender expression to any other person without the student's consent unless otherwise required by state or federal law. [Cal. Ed. Code § 220.3](#). However, the Supreme Court has recognized parents' right to opt in to receiving notification of a student's request for a change of name and/or pronoun at school as discussed below.

California requires public schools to take affirmative steps to prevent bullying based on sexual orientation or gender identity, and school staff must intervene if they witness bullying. [Cal. Ed. Code § 234 et seq.](#); [see here for more information](#).

California also prohibits banning books, instructional materials, or curricula that include the lived reality of diverse and inclusive perspectives, including books and material by and about LGBTQ+ individuals. [Cal. Ed. Code § 243](#).

- c. **Health care:** California supports access to gender-affirming medical care¹ for both adults and young people. [Cal. Civ. Code § 1798.301](#). Managed Care Plans and Health Insurers licensed by the state of California must cover medically necessary gender-affirming care for adults and children. [Cal. Health & Safety Code § 1365.5](#); [Cal. Ins. Code § 10140](#); [10 Cal. Code Reg. §§ 2561.1-2](#). Medi-Cal also covers medically necessary gender-affirming care for adults and children. [DHCS All Plan Letter 20-18](#). California's Attorney General has affirmed that health care providers must continue to follow California law regarding access to gender-affirming care. See [AG's February 5, 2025 letter](#), [November 13, 2025 Know-Your-Rights Guidance](#), and [April 22, 2026 Legal Alert for health care facilities and providers](#).

California has taken a number of steps to protect families accessing gender-affirming care here, and health care providers, from prosecution by other states. California also protects against the release of medical information if the information is requested pursuant to another state's law banning gender-affirming care. [Cal. Civil Code §§ 56.108, 56.109, 1710.50, 1798.99.90 et seq., 1798.300 et seq.](#); [Cal. Code of Civil Proc. §§ 2029.300, 2029.350](#); [Cal. Family Code §§ 3421, 3424, 3427, 3428, 3453.5](#); [Cal. Penal Code §§ 819, 847.5\(b\) and \(c\), 1326, 1549.15, 13778.3](#); [Cal. Bus. & Profs. Code §§ 850.1, 852, 2746.5](#); [Cal. Health & Safety Code § 1375.61](#); [Cal. Ins. Code §§ 10133.641, 11589.1](#); [Cal. Welf. & Inst. Code §§ 14123\(b\)\(2\), 14043.6\(b\)](#). [See here for more information](#). California prohibits discrimination against LGBTQ+ individuals in long-term care facilities. [Cal. Health & Saf. Code §§ 1439.50-1439.54](#).

¹ California defines gender-affirming care as "medically necessary health care that respects the gender identity of the patient, as experienced and defined by the patient." [Cal. Welf. and Inst. Code § 16010.2\(3\)](#); [Cal. Civ. Code § 1798.300](#).

California requires that transgender, nonbinary, and gender expansive youth in foster care have access to gender-affirming care based on prevailing standards of care. [Cal. Welf. & Inst. Code §§ 16001.9, 16010.2](#).

- d. **Employment:** California prohibits discrimination and harassment in the workplace based on actual or perceived sex, gender identity, gender expression, transgender or transitioning status, or sexual orientation. Employers must honor transgender workers' lived names and pronouns and allow them to use gender-appropriate restrooms. [Cal. Gov't Code § 12940\(a\)](#); [2 Cal. Code Reg. § 11034\(e\)\(2\), \(h\), \(i\)\(4\)](#).
- e. **Housing:** California prohibits discrimination in housing based on actual or perceived sex, gender identity, gender expression, or sexual orientation. This includes emergency shelter settings. [Cal. Gov't Code § 12955](#). Although the federal government has [proposed regulations](#) intended to [negatively impact](#) trans people's access to gender-aligned shelter beds and other housing programs receiving federal funding, those have not been finalized or taken effect.
- f. **Child custody:** California prohibits discriminating against LGBTQIA+ parents when determining custody of children. [Cal. Family Code § 3011](#).
- g. **Name changes:** California allows individuals to legally change their names to conform to their gender identity, by filing a petition in state court and obtaining a name change court order. [Cal. Code Civ. Proc. § 1279.5](#). Records are automatically confidential for adult name change proceedings initiated on or after July 1, 2026, and are automatically confidential for name change proceedings for minors initiated on or after January 1, 2024. [Cal. Health & Safety Code §§ 103437\(c\) and \(d\)](#).

A person who previously obtained a name change to conform to their gender identity through a California court can contact the court to make the records of that proceeding confidential. .

- h. **Identification and birth certificates:** California allows individuals to self-attest to their gender marker when applying for a driver's license or state identification card, updating a California birth certificate, or petitioning a court for a gender marker change order. [Cal. Health & Safety Code §§ 103426, 103430](#); [Cal. Vehicle Code § 12800](#).
- i. **Prison:** California requires state prison officials to house and search transgender, gender-diverse, and intersex individuals based on their gender if they so request, with limited security exceptions. [Cal. Penal Code § 2605 et seq.](#)

2. How will recent federal attacks impact me and my family?

There have been a range of recent federal actions targeting LGBTQ+ people. These include:

- a. **Executive Orders. President Trump has issued several Executive Orders targeting LGBTQ+ people.** An Executive Order alone does not take away any of your rights, and these Executive Orders by themselves do not change California or federal law.

- b. **Federal Agency Actions.** Federal agencies have begun implementing President Trump’s anti-LGBTQ+ Executive Orders, as well as taking independent actions aligned with the goals of the anti-LGBTQ+ Executive Orders. We will try to provide updates about these and other federal developments that impact LGBTQ+ rights in California.

In April 2025 and again in July 2025, the U.S. Department of Justice (USDOJ) issued directives characterizing gender-affirming health care for young people as “fraud” and “exploitative” and instructing federal lawyers to prioritize investigations of institutions, individual providers, and pharmaceutical companies. The USDOJ also sent civil subpoenas to at least 20 health care institutions around the country demanding information about gender-affirming care provided to young people. A number of health care entities and parents are fighting the subpoenas in court. In addition, California is one of 17 states participating in a lawsuit, *Massachusetts v. Trump*, which was filed in August 2025 and alleges that the USDOJ’s directives and all efforts to enforce them (such as subpoenas) are illegal and unconstitutional.

In 2026, the USDOJ began additionally pursuing grand jury subpoenas, through a Texas federal court, against institutions around the country that have provided gender-affirming care to young people, including Lucile Packard Children’s Hospital at Stanford, but a [federal court then issued a temporary restraining order](#) blocking USDOJ from seizing California families’ confidential medical records.

In December 2025, the U.S. Department of Health & Human Services published proposed regulations that would exclude gender-affirming care for youth from coverage under Medicaid programs and Children’s Health Insurance Programs (CHIP), including Medi-Cal, and would limit federal funding for hospitals that provide gender-affirming care for youth, but these proposed rules are not in effect and will be challenged in court.

In July 2025, the USDOJ filed a lawsuit alleging that California’s laws and policies allowing transgender student-athletes to compete on gender-appropriate teams violate federal anti-discrimination law. In June 2026, the U.S. Supreme Court [upheld](#) the legality and constitutionality of Idaho and West Virginia laws banning trans student-athletes from competing on gender-appropriate teams. However, California’s protections of all students’ right to participate in sports based on their gender identity remain in effect. [Equality California Statement on BPJ and Hecox Decisions](#). The State of California has also [filed its own lawsuit](#) against the federal government, seeking to protect the rights of transgender student-athletes and California’s education funding.

- c. **Supreme Court Decisions.** In June 2025, the Supreme Court upheld as constitutionally valid Tennessee’s law banning gender-affirming hormones and puberty blockers for transgender minors in *U.S. v. Skrametti*. While this decision was devastating for trans people across the country, California law still protects the rights of trans youth in California to access the care they need. [ACLU SoCal Statement on Skrametti Ruling](#).

Also in June 2025, the Supreme Court, in *Mahmoud v. Taylor* (a case about LGBTQ-inclusive storybooks taught in a Maryland school district), held that parents have the right to opt their children out of public school lessons based on religious objections. This decision was disrespectful to LGBTQ+ families and harmful to public schools' efforts to provide all students with instruction that reflects community diversity. However, California law still requires all public school districts to teach LGBTQ-inclusive curriculum and maintain a learning environment free of discrimination and harassment. [Legal FAQ on Supporting Inclusive Education in California After Mahmoud v. Taylor](#).

In March 2026, the Supreme Court issued a preliminary order in *Mirabelli v. Olson*, a challenge brought by teachers and parents against California laws and educational policies protecting trans and gender nonconforming students from being outed. The order narrowly affirms the rights of objecting parents to know about their child's "gender transition". Although the Court did not define the term "gender transition," it cited use by educators of names and pronouns different than those the student uses at home. This order undoubtedly endangers the health and wellbeing of TGI students with nonaffirming parents. But importantly, the Court's order did not recognize any right of teachers or other school staff to out students to their parents or anyone else based on their perception of the student. It also did not prevent students from respecting one another's name and pronouns, including at school. While this preliminary order is in effect, the California Attorney General's Office will continue litigating the case. [Mirabelli SCOTUS Per Curiam Opinion FAQ](#).

3. What steps can I take if I am discriminated against?

- a. **Document what happened.** Take notes on what happened, whom you communicated with, and who might have been a witness. Save copies of all emails, texts, complaints, photos, and documents. Try to identify who may have made the decision to discriminate against you. If you cannot identify one person, identify a facility, office, or group of people. It is important to document so you can provide evidence about your experience.
- b. **File a complaint** with a relevant state agency, such as:
 - i. **California Civil Rights Department** (for complaints about employers, landlords and other housing providers, business establishments including health care providers, and government agencies or programs): <https://civildrights.ca.gov/complaintprocess/>
 - ii. **California Department of Education** (for complaints about schools): <https://www.cde.ca.gov/re/di/fq/index.asp#Complaints> ; see also [more information here](#)
 - iii. **California Department of Managed Health Care** (for complaints about insurance plans): <https://www.dmhc.ca.gov/FileaComplaint.aspx>

- iv. **California Attorney General's Office** (for complaints about businesses; some may be routed to other agencies): <https://oag.ca.gov/contact/consumer-complaint-against-business-or-company>

If you experience discrimination, it is important to notify the state. Without your report, there is no official record of the incident, which means no action can be taken to address the issue. Reporting ensures accountability, helps prevent future discrimination, and supports efforts to enforce anti-discrimination laws. Your voice matters—make sure it is heard.

Filing a civil rights complaint is an important step toward justice, but it is important to understand that state agencies receive a huge volume of complaints. Investigations, legal reviews, and enforcement actions take time, so you should not expect a quick resolution.

Although federal law prohibits discrimination based on sexual orientation and gender identity, during this administration we do not recommend attempting to file discrimination complaints on those bases with any federal agency.

- c. **Contact an LGBTQ+ advocacy group or a legal services provider.** Many organizations are working to assist individuals who are facing discrimination and/or loss of health care (see list below).

4. What organizations can I contact for more information and/or help?

- a. **Lambda Legal:**

Webpage: <https://lambdalegal.org/helpdesk/>
Legal Help Desk: 213-382-7600

- b. **National Center for LGBTQ Rights:**

Webpage: <https://www.nclrights.org/get-help/>
Legal helpline: 800-528-6257 or 415-392-6257

- c. **Transgender Law Center:**

Webpage: <https://transgenderlawcenter.org/resources/>
Legal Information Help Desk Form [English]:
<https://transgenderlawcenter.org/get-help/>
Servicio de Información Legal [Español]:
<https://transgenderlawcenter.org/recursos-y-publicaciones/>

- d. **California Rural Legal Assistance, Inc.:**

Webpage: <https://crla.org/locations>
Phone line: 800-337-0690

- e. **Health Consumer Alliance LGBTQIA+ Advocacy Initiative (helps Californians get or maintain health coverage and resolves problems with plans and providers, including access to gender-affirming care and protections against discrimination):**

Webpage: <https://healthconsumer.org/lgbtqia-advocacy-initiative/>
Phone line: 888-804-3536

- f. **Bet Tzedek Legal Services (assists trans community with name and gender marker changes and confidentiality requests, and with overcoming barriers to gender-affirming health care):**
Webpage: <https://bettzedek.org/our-services/justice-for-transgender-individuals/>
Phone line: 323-939-0506
- g. **Unique Woman’s Coalition (assists trans community with securing legal documentation):**
Webpage: <https://www.theuwc.org/>
Phone line: 650-336-8471
- h. **Modern Military Association of America (serves current LGBTQ+ service members, veterans, and their families):**
Report LGBTQ+ and HIV Discrimination:
<https://modernmilitary.org/report-an-incident/>
Phone line: 202-328-3244
- i. **Contact your local LGBTQ+ Community Center for legal resources specific to your county:** For example, the Los Angeles LGBT Center has legal resource information here:
<https://lalgbtcenter.org/services/legal-services/>.

5. Where can I find additional resources about my rights?

- a. California Department of Justice: [LGBTQ+ Discrimination Rights webpage](#)
- b. California Civil Rights Department: [Civil Rights at California Businesses](#)
- c. Lawyers for Good Government: [Policy Resource Hub for Transgender Rights](#)
- d. Advocates for Trans Equality: [Trans Legal Survival Guide](#)
- e. ACLU SoCal: [California LGBTQ Employment Rights resource](#)
- f. California Civil Rights Department: [The Rights of Employees Who Are Transgender or Gender Nonconforming fact sheet](#)
- g. California Department of Justice: [Know Your Rights: Gender Affirming Care](#)
- h. California Department of Insurance: [Equal Access to Health Insurance: Coverage for Transgender Californians webpage](#)
- i. California Department of Health Care Services: [Medically Necessary Gender-Affirming Care Services Covered for Medi-Cal Members](#)
- j. California Department of Managed Health Care: [TGI Care webpage](#)

- k. California LGBTQ Health & Human Services Network: [Gender-Affirming Care Resources](#) page
- l. National Health Law Program: [An Advocate’s Guide to Accessing Gender-Affirming Care in California](#)
- m. ACLU and partners: [Q&A: DOJ Subpoenas Sent to Healthcare Facilities Treating Trans Youth](#)
- n. National Health Law Program and partners: [FAQ on Obtaining Gender-Affirming Care Outside the United States](#)
- o. ACLU: [Q&A, *Orr v. Trump*](#) [Class action lawsuit re passport gender markers for transgender, nonbinary, and intersex folks]
- p. Lambda Legal: [Passport and Identity Document Information for the Transgender Community](#)
- q. California Rural Legal Assistance, Inc., and partners: [SB 59 \[Name and/or Gender Marker Change\] Confidentiality Request Toolkit](#)
- r. Judicial Council of California’s instructions and forms to [Change Your Name to Match Your Gender Identity](#)
- s. Advocates for Trans Equality and partners’ explanation of [President Trump’s Day 1 Anti-Transgender Executive Order: What You Need To Know](#)
- t. California Attorney General’s Executive Order and federal attack responses: [Statement on President Trump’s Executive Order Targeting the LGBTQ+ Community | State of California - Department of Justice](#); [Attorney General Bonta: California Schools Will Remain a Welcoming, Inclusive, Safe Place for All](#); [“We Have Your Back”: A Message to Trans Students from State Attorneys General](#)
- u. California Department of Education’s Executive Order and federal attack responses: [Affirmation of Continued Protections on the Basis of Gender, Gender Expression, Gender Identity, and Sexual Orientation](#); [Responses to Federal Actions & Communications](#)