



## CAMPUS COUNSEL

A Legal Blog Written for Administrators, HR professionals, in-house counsel, and deans at colleges and universities

### Transgender College Students Face Higher Rates of Mental Illness

BY CHELSIE A. VOKES • OCTOBER 1, 2019

The [researchers of a new study](#) found that Gender Minority (GM) college students suffer from significantly higher rates of mental illness than their cisgender peers. In particular, it was found that 78 percent of Gender Minority students suffered from one or more mental illnesses, compared to 45 percent of cisgender students.

Overall, the study found “an urgent need to address GM student mental health.” The researchers suggested colleges adopt inclusive policies benefiting Gender Minority students — including, for example, providing gender-neutral bathrooms and allowing students to change their name in records. A [prior study](#) found that adopting inclusive policies improves the well-being of Gender Minority students.

The recent study comes as the Trump Administration rolls back protections for Gender Minority students. Notably, on February 22, 2017, the Trump Administration [repealed a Dear Colleague Letter issued by the Obama Administration](#) that required colleges to protect Gender Minority students in accordance with Title IX. The Trump Administration’s position is that Title IX’s prohibition on “sex” discrimination does not encompass discrimination on the basis of gender identity.

For colleges in Massachusetts, [state law](#) explicitly prohibits discrimination based on gender identity.

*Client Tip: On October 8, 2019, the [Supreme Court will hear](#) oral arguments in a case that will decide, in part, whether Title VII protects transgender individuals from employment discrimination. Colleges should follow this case closely, as [courts often look to Title VII cases](#) when interpreting Title IX.*