



Book	Administrative Regulation Manual
Section	200 Pupils
Title	Gender Expansive and Transgender Students
Code	253
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Definitions

Biological Sex - refers to a person's biological status and is typically categorized as male, female, or intersex (i.e., atypical combinations of features that usually distinguish male from female). There are a number of indicators of biological sex, including sex chromosomes, gonads, internal reproductive organs, and external genitalia.

Cisgender - denoting or relating to a person whose self-identity conforms with the gender that corresponds to their biological sex

Consistently Asserted Gender Identity - an exclusive commitment to either a male or female gender identity asserted across multiple settings from the time when a person begins to live as the gender with which they identify rather than the gender they were assigned at birth.

Gender - the state of being male or female which, in the context of this policy, is used with reference to social and cultural differences rather than biological ones.

Gender Expansive - A term that conveys a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. Gender expansive is not synonymous with transgender; not all gender expansive individuals identify as transgender.

Gender Identity - A person's deeply held internal sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth.

Gender Expression - The way a person expresses gender, in way such as dress, grooming, hairstyle, behavior, activities, interests, speech, mannerisms, etc.

Intersex - A term used for people who are born with a reproductive or sexual anatomy and/or chromosome pattern that does not conform to typical definitions of male or female.

Transgender – A person whose gender identity and/or gender expression is different from that of the biological sex they were assigned at birth.

Transition - The time when a person begins to live as the gender with which they identify rather than the gender they were assigned at birth, which often includes changing one's first name and dressing and grooming differently. Transitioning may or may not also include medical and legal aspects, including taking hormones, having surgery, or changing identity documents (e.g. driver's license, Social Security record) to reflect one's gender identity.

Guidelines

The goal in all cases is to strive for consensus among parents and student as to the application of this policy. However, in general, the prerogative to assert the rights of the transgender and gender non-conforming students belong to the student and do not require additional parental/guardian consent unless the assertion of a right delineated in this guidelines implicate parental/guardian rights under the Family Educational Rights and Privacy Act or other applicable law.

A. Privacy / Confidential Health or Educational Information

All persons, including students, have a right to privacy, which includes the right to keep private one's transgender status or gender expansive presentation at school.

Information about a student's transgender status, legal name, or gender assigned at birth may constitute confidential medical or educational information. Disclosing such information to other students, their parents, or other third parties may violate privacy laws such as the federal Family Educational Rights and Privacy Act (FERPA). Therefore, school personnel should not disclose information that may reveal a student's transgender status or gender expansive presentation to others, including the student's parents/guardians and/or other school personnel, unless legally required to do so or unless the student has authorized such disclosure.

Transgender and gender expansive students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share such private information.

When contacting the parent or guardian of any student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise.

B. Official Records

The District is required to maintain a permanent student record which includes the student's legal name and gender. The District will change a student's official records to reflect a change in legal name or gender upon receipt of:

Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or

A written, signed statement explaining that the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons **(See Name Change Form Attached)**.

To the extent that the District is not legally required to use a student's legal name and biological sex on school records or documents, the District should use the name and gender by which the student consistently identifies. In situations where school employees are required by law to use or report a student's legal name or gender, such as for standardized testing, school staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender expansive status.

C. Names and Pronouns

Students have the right to be addressed by the name and pronoun that corresponds to their consistently asserted gender identity.

A court-ordered name or gender change is not required, and the student need not otherwise change his or her official records in order to be addressed by the name and pronoun that corresponds to the student's consistently asserted gender identity.

Appropriate school employees will privately ask known transgender or gender expansive students how they would like to be addressed in class, in correspondence to the student's home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns.

When communicating with known transgender or gender expansive students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity.

When communicating with parents of transgender or gender expansive students, school employees will refrain from the use of gender pronouns and refer to the student by name whenever practicable.

The District does not condone the intentional and/or persistent refusal to respect a student's consistently asserted gender identity, or inappropriate release of information regarding a student's transgender or gender expansive status. Such conduct shall be a violation of this Administrative Regulation and the corresponding Board Policy.

D. Restroom Accessibility

Students shall be allowed to use the restroom that corresponds to the gender identity they consistently assert at school. No student will be required to use a restroom that conflicts with their consistently asserted gender identity.

Any student, whether or not they are transgender or gender expansive, who needs or desires increased privacy when utilizing a restroom shall, upon request, be provided with access to a single stall or otherwise private restroom, but no student shall be required to use such a restroom.

E. Locker Room Accessibility

The use of locker rooms by transgender or gender expansive students shall be reviewed and addressed on a case-by-case basis, but permitted in a way that, to the extent appropriate, maximizes a transgender or gender expansive student's social integration, provides an equal opportunity to participate in physical education classes and athletic opportunities, minimizes stigmatization of the transgender or gender expansive student, and ensures student safety. Notwithstanding the foregoing, no student will be required to use a locker room that conflicts with his or her consistently asserted gender identity.

The District will provide a transgender or gender expansive student with access to the locker room that corresponds to the gender identity he/she consistently asserts at school. Any student, whether or not they are transgender or gender expansive, who needs or desires increased privacy when utilizing a locker room shall, upon request, be provided with access to reasonable alternative locker room conditions which could include, but are not limited to (1) use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom) or (2) a separate changing schedule (i.e., utilizing the locker room before or after the other students).

F. Sport and Physical Education Classes

Transgender and gender expansive students shall be permitted to participate in athletic programs/opportunities and physical education classes in a manner that is consistent with their consistently asserted gender identity.

A student may seek review of his/her eligibility for participation in interscholastic athletics by working through the Pennsylvania Interscholastic Activities Association (PIAA).

G. Dress Codes

All students shall have the right to dress in a manner consistent with their gender identity or gender expression to the extent that such dress does not conflict with school rules or other Board policies or administrative regulations.

H. Other School Activities

In any school activity or other circumstance involving separation by gender (i.e. class discussions, field trips), students will be permitted to participate in accordance with the gender identity they consistently assert at school. Teachers and other school employees will make reasonable efforts to separate students based on factors other than gender where feasible and appropriate.

For overnight field trips, the transgender student should communicate their preferred sleeping arrangement to the teacher and/or a school administrator responsible for planning the field trip when the trip is being planned, but at least a month prior to the date of the field trip. As with any other student, the school should try to pair the transgender student with peers with whom the student feels comfortable. In some cases, a transgender student may want a room with fewer roommates or another alternative suggested by the student or their family. The District should honor these requests whenever possible and make adjustments to prevent the student from being marginalized because of those alternative arrangements. Regardless of whether those roommates know about the student's gender identity, the District has an obligation to maintain the student's privacy and cannot disclose or require disclosure of the student's transgender status to the other students or their parents.

I. Discrimination/Harassment

Incidents or complaints of alleged discrimination, harassment, or violence against a transgender or gender expansive student shall be given prompt in the same manner as other discrimination/harassment complaints.

J. Education and Training

When possible, the District will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. In order to further a safe and supportive school environment for all students, the District will incorporate education and training about transgender and gender expansive students into their anti-bullying curriculum, student leadership trainings and staff professional development. The content of such professional development/training should include, but not be limited to:

- Terms and concepts related to gender identify, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying.
- District and staff responsibilities under applicable laws and District policies regarding harassment, discrimination, and gender identity and expression issues.

Cross references:

Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g

Policy and Administrative Regulation No. 248, Prohibited Harassment by and of Students

[R253-Preferred First Name Change Form.pdf \(88 KB\)](#)