



SECTION: STUDENTS

POLICY: 261

**TITLE: TRANSGENDER AND
GENDER EXPANSIVE STUDENTS**

ORIGINAL: June 13, 2016

CURRENT REVISION: June 1, 2021

**LAST REVIEWED BY THE
ADMINISTRATION:**

ADMINISTRATIVE GUIDELINES

A. Privacy and Confidentiality

- a. All students have a right to privacy and this right includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name and sex assigned at birth may also constitute confidential protected health information. Disclosing this information to other students, their parents/guardians, or other third parties may violate privacy laws, such as the Family Educational Rights and Privacy Act (FERPA). The District shall ensure that protected health information and education records relating to a student's transgender or gender expansive status, legal name, or sex assigned at birth will be kept confidential in accordance with applicable state and federal privacy laws.
- b. 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 private information. The fact that a student chooses to disclose his or her transgender status to District staff or other students does not authorize District staff to re-disclose that information, but such information may be re-disclosed by District staff as reasonably necessary to perform District operations related to the student.
- c. To ensure the safety and well-being of the student, District personnel should not disclose a student's transgender status to others, including the student's parents/guardians or other District personnel, unless: (1) legally required to do so, (2) the student has authorized such disclosure, or (3) it is reasonably necessary to disclose to perform District operations related to the student. When contacting the parent or guardian of a transgender student, District staff should use the student's legal name and the pronoun corresponding to the student's sex assigned at birth unless the student, parent, or guardian has specified otherwise.

B. Names and Pronouns

- a. Every student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. Misgendering is addressing a student in a way that contradicts the student's gender identity. It is recommended that District staff privately ask transgender or gender expansive students at the beginning of the school year how they want to be addressed in class, in correspondence to the home, or at conferences with the student's parent(s) or guardian(s). A court-ordered name or gender change is not required, and the student need not change his/her/their official records.

C. Student Records

- a. The District is required to maintain a mandatory permanent student record that includes a student's legal name and legal gender. However, to the extent that the District is not legally required to use a student's legal name and gender on other school records or documents, such as school IDs, classroom rosters or the yearbook, the District will use the name and gender preferred by the student. The District will change a student's official record to reflect a change in legal name or gender upon receipt of documentation that such change has been made pursuant to a court order, or through amendment of state or federally issued identification. In situations where District staff are required by law to use or to report a transgender student's legal name or gender, such as for purposes of standardized testing, administration and school staff shall adopt reasonable practices to reduce the likelihood of the inadvertent disclosure of such confidential information to persons or entities other than to whom the use or reporting of the information is made.

D. Medical Treatments or Procedures

- a. District staff should not require proof of medical treatments as prerequisite for respecting the student's gender identity or expression. If any objective basis should occur that would justify questioning whether a student's asserted gender identity or expression is genuine, information may be requested to show that the gender identity or expression is sincerely held. No particular type of information (such as medical history information) should be specifically required.

E. Dress Code

- a. Individual schools within the District may enforce dress codes, but individual school dress codes shall not differentiate student dress on the basis of gender. Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress code adopted by the school. District staff shall not enforce a school's dress code more strictly against transgender and gender expansive students than other students.

F. Sex-Specific Facilities

- a. District students shall have access to facilities including all restrooms, locker rooms, changing facilities, or overnight facilities that correspond to their gender identity.
- b. In any gender-segregated facility, any student who is uncomfortable using a shared facility, regardless of the reason, shall, upon the student's request, be provided with a safe and reasonable alternative. This may include, for example, addition of a privacy partition or curtain, provision to use a nearby private restroom or office, or a separate changing schedule.
- c. A transgender or gender expansive student may request to use a separate restroom or changing area, however, no student shall be required to use an alternative restroom or changing facility because they are transgender or gender expansive. Under no circumstance should any student be required to use sex-segregated facilities that are inconsistent with their gender identity.
- d. School staff who are responsible for supervising student activity in sex-specific facilities are directed to monitor closely such facilities when being used by an identified transgender or gender expansive student in order to foster student safety.

G. Physical Education Classes and Intramural and Interscholastic Athletics

- a. All students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity.
- b. Regarding interscholastic sports teams, the District will follow the Pennsylvania Interscholastic Athletic Association's (PIAA) rules regarding mixed-gender participation.

H. Other Gender-Based Activities, Rules, Policies and Practices

- a. As a general rule, in any other circumstance where students are separated by gender, for instance at field trips, classroom activities, school ceremonies and school photos, each student should be permitted to participate in a manner consistent with his/her/their gender identity. Single-gender classes and activities may only be offered in certain circumstances and in accordance with District policy, law and regulation.
- b. Nothing in this policy shall be construed to excuse any student from following necessary or customary protocols for obtaining parental consent for athletic participation, including permission slips, consent forms and waivers. All staff will adhere to this policy when advising transgender students about the process for obtaining such parental consent.