

Guidelines on Students' Gender Identity

It is important that all staff members and students recognize and respect matters of gender identity including students who identify as transgender or gender nonconforming, and such students should feel comfortable expressing their gender identity. To the extent practicable, GISW will accommodate requests regarding gender identity and endeavor to protect student privacy and confidentiality. GISW is committed to a safe, welcoming school environment where students are engaged in learning and are active participants in the school community because they feel accepted and valued. Our guidelines are aligned with guidance from the Maryland State Department of Education and Board of Education Policy ACA, Nondiscrimination, Equity, and Cultural Proficiency, set forth the districtwide expectation that discrimination, stigmatization, and bullying will not be tolerated. These guidelines cannot anticipate every situation which might occur. Consequently, the needs of each student must be assessed on a case-by-case basis.

GOALS

- Support students so they may participate in school life consistent with their asserted gender identity;
- Respect the right of students to keep their gender identity or transgender status private and confidential;
 - Reduce stigmatization and marginalization of transgender and gender nonconforming students;

- Foster social integration and cultural inclusiveness of transgender and gender nonconforming students; and
- Provide support for GISW staff members to enable them to appropriately and consistently address matters of student gender identity.

DEFINITIONS

The definitions provided here are not intended to label students but rather to assist in understanding transgender and gender nonconforming students. Students might or might not use these terms to describe themselves.

GENDER EXPRESSION The manner with which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, speech and word choices, or mannerisms.

GENDER IDENTITY A person's deeply held internalized sense or psychological knowledge of the person's own gender. One's gender identity may be the same as or different from the sex assigned at birth. Most people have a gender identity that matches their sex assigned at birth. For some, however, their gender identity is different from their sex assigned at birth. All people have gender identity, not just persons who are transgender or gender nonconforming people. For the purposes of this guidance, a student's gender identity is that which is consistently asserted at school.

LGBTQ An acronym for the Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning community. This acronym often is written as LGBTQ+ in an effort to be more inclusive

PROACTIVELY WORKING WITH TRANSGENDER AND GENDER NONCONFORMING STUDENTS AND THEIR FAMILIES

- The principal (or designee), the class teacher in collaboration with the student and the student's family (if the family is supportive of the student), should decide on how to ensure that the student has equal access and equal opportunity to participate in all programs and activities at school and is otherwise protected from gender-based discrimination at school.
- Each student's needs should be evaluated on a case-by-case basis, and all decisions should be evaluated on an ongoing basis and revised as needed.

PRIVACY AND DISCLOSURE OF INFORMATION

- All students have a right to privacy. This includes the right to keep private one's transgender status or gender nonconforming presentation at school.
- Information about a student's transgender status, legal name, or sex assigned at birth may constitute confidential medical information. Disclosing this information to other students, their parents/guardians, or third parties may violate privacy laws, such as the federal Family Educational Rights and Privacy Act (FERPA).
- Schools should ensure that all medical information, including that relating to transgender students, is kept confidential in accordance with applicable state, local, and federal privacy laws.
- Please note that medical diagnosis, treatment, and/or other documentation are not required for a school to accommodate requests regarding gender presentation, identity, and diversity.
- Transgender and gender nonconforming students have the right to discuss and demonstrate their gender identity and

expression openly and decide when, with whom, and how much to share private information. The fact that students choose to disclose their status to staff members or other students does not authorize school staff members to disclose students' status to others, including parents/guardians and other school staff members, unless legally required to do so or unless students have authorized such disclosure. It is inappropriate to ask transgender or gender nonconforming students more questions than are necessary to support them at school.

NAMES/PRONOUNS

- All students have the right to be referred to by their preferred name and/or pronoun. Students should be addressed by school staff members by the name and pronoun corresponding to the gender identity that is consistently asserted at school. Students are not required to obtain a court-ordered name and/or sex designation change or to change their student records as a prerequisite to being addressed by the name and pronoun that corresponds to their preferred name. To the extent possible, and consistent with these guidelines, school personnel should make efforts to maintain the confidentiality of the student's transgender status.
- Whenever schools are not legally required to use a student's legal name or sex assigned at birth on school records and other documents, the school should use the name and gender preferred by the student, including using the student's preferred name for classroom rosters, identification badges, announcements, newspapers, newsletters, and yearbooks.

OFFICIAL SCHOOL RECORDS

- Schools are required to maintain a permanent student record for each student, which includes the legal name and gender of the student.
- A student's permanent record should be changed to reflect a change in the student's legal name or gender upon receipt of documentation that such legal name and/or gender have been changed.

DRESS CODE

- Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression, so long as it complies with the GISW dress code. School staff members shall not enforce a school's dress code more strictly for transgender or gender nonconforming students than for other students.

GENDER-BASED ACTIVITIES

- Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific rule, policy, or practice, students must be permitted to participate consistent with their gender identity.

GENDER-SEPARATED AREAS

- Any student who is uncomfortable using a shared facility because of safety, privacy, or any other reason, should upon request, be provided, to the extent possible, with a safe and non-stigmatizing alternative arrangement such as a single bathroom, or with respect to locker rooms, a privacy partition or curtain in changing areas, use of a nearby private restroom or office, or a separate changing schedule. The student

should be provided access in a manner that safeguards confidentiality.

- Some students may feel uncomfortable with a transgender student using the same sex-specific facility. This discomfort is not a reason to deny access to the transgender student. School administrators and counseling staff members should work to create a school culture that respects and values all students.

NEW CONSTRUCTION/RENOVATION:

- To the extent feasible, the GISW may create gender neutral bathroom facilities that are for student use. This may include changing existing bathrooms to gender neutral bathrooms.

PHYSICAL EDUCATION CLASSES AND INTRAMURAL SPORTS

Whenever the school provides gender-segregated physical education classes and intermural sports, students must be allowed to participate in a manner consistent with their gender identity.

OVERNIGHT FIELD TRIPS

- During overnight field trips, students must be allowed to participate consistent with their asserted gender identity.
- Sleeping arrangements should be discussed with the student and family (if the family is supportive of the student). Upon request, the student should be provided with a safe and non-stigmatizing alternative arrangement, such as a private sleeping area, if practicable, to the extent possible.

- A student's transgender status is confidential information and school staff members may not disclose or require disclosure of a student's transgender status to other students or their parents/guardians as it relates to a field trip without the consent of the student and/or the student's parent/guardian.

support students' rights to assert their gender identity and expression.

- Students shall not be disciplined based upon their actual or perceived gender identity or expression.

BULLYING AND HARASSMENT

- LGBTQ+ students have a higher incidence of being bullied and harassed, as well as a higher rate of suicide contemplation and are more than five times as likely as non LGBTQ+ students to attempt suicide.
- The GISW Bullying policy can be found here: https://www.giswashington.org/files/dswashington/Dateien/2018-19/Verwaltung/18_10_15_AntiMobbing_E.pdf
- Bullying and harassment include conduct that is directed at a student based on a student's actual or perceived gender identity or expression, and includes conduct that targets a student because of a characteristic of a friend, family member, or other person or group with whom a student associates.
- Complaints alleging discrimination or harassment directed at a student based on a student's actual or perceived gender identity or expression should be handled in the same manner as other discrimination or harassment complaints. Schools should be vigilant about bullying and harassment and address it promptly.
- School staff members should take all reasonable steps to ensure safety and access for transgender and gender nonconforming students at their school and