

STUDENT GENDER IDENTITY

All students need a safe and supportive educational environment to progress academically and developmentally. The Patchogue-Medford School District is committed to fostering a safe learning environment for all students, free from discrimination and harassment on the basis of gender, gender identity, gender nonconformity, and gender expression. In accordance with applicable law, regulations, and guidelines, the District will ensure that students have equal access to all school programs, facilities, and activities. The District will assess and address the specific needs of each student on a case-by-case basis.

Key Terms

Generally, District personnel should use the language that individual students are using to describe their own gender identity, appearance, or behavior. The most common terms are:

Cisgender: a person whose gender identity corresponds to their assigned sex at birth.

Gender: actual or perceived sex, typically with reference to social and culture differences rather than physiological ones.

Gender expression: the ways a person conveys their identity to others, such as through behavior, appearance, clothing, hairstyle, activities, voice, and mannerisms.

Gender identity: a person's inner sense or psychological knowledge of being male, female, neither or both.

Gender nonconforming (GNC): describe someone whose gender identity or gender expression does not conform to social or stereotypical expectations of a person with that gender assigned at birth. This is also referred to as gender variant or gender atypical.

Transgender: someone whose gender identity is different than their gender assigned at birth.

Transition: the process by which a person socially or physically aligns their gender expression more closely to their gender identity than their assigned sex at birth.

Records

As required by law, the District will maintain the confidentiality of student information and records. If a transgender or GNC student has officially changed his or her name, as demonstrated by court order or birth certificate, the District will change its official and unofficial records, as needed, to reflect the change. The District will maintain records with the student's assigned birth name in a separate, confidential file.

Student Gender Identity (Continued)
Records (Continued)

If a transgender or GNC student has not officially changed his or her name, but wishes to be referred to by a different name that corresponds to their gender identity, the District may create or change unofficial records to reflect the name and gender identity that the student consistently asserts at school. On state standardized tests, certain reports to New York State Education Department, and when necessary to ensure appropriate and coordinated medical care, however, the District will use the student's legal name and gender. Any student identification cards will be issued with the name reflecting the gender identity the student consistently asserts at school. The District will maintain records with the student's assigned birth name and gender in a separate, confidential file.

Name and Pronouns

When apprised of student's transgender or GNC status, the District will endeavor to engage the student and his or her parents or guardians, as appropriate, in an effort to agree upon a plan that will accommodate the student's individual needs at school. Transgender and GNC students have the right to discuss and convey their gender identity and expression openly and decide when, with whom, and how much to share this confidential information. The plan may therefore include when and how to initiate the student's preferred name and associated pronoun use and if, when, and how this is communicated to the others. District staff will use the name and pronoun that corresponds to the gender identity the student consistently asserts at school.

Restrooms and Locker Rooms

The District will allow a transgender or GNC student to use the restroom and locker room that corresponds to the student's consistently expressed gender identity at school. Any student requesting increased privacy or other accommodations when using bathrooms or locker rooms will be provided with a safe and adequate alternative, but they will not be required to use that alternative.

Physical Education and Sports

Physical education is a required part of the District's curriculum. Where these classes are sex-segregated, students will be allowed to participate in a manner consistent with their gender identity. Students will likewise be allowed to participate in intramural activities consistent with their gender identity.

Student Gender Identity (Continued)
Physical Education and Sports (Continued)

Upon written notification that a transgender or GNC student would like an opportunity to participate in the District's interscholastic athletics program consistent with his or her gender identity, the District will determine his or her eligibility in accordance with applicable law, regulations, and guidelines. The District will confirm the student's asserted gender identity with documentation it considers appropriate from a parent/guardian, counselor, doctor, psychologist, psychiatrist, or other medical professionals. The student's gender identity should be the same as the identity used for District registration and other school purposes.

The District's Director of Athletics, Physical Education, Health Education, and Nurses will notify opposing team athletic directors or the New York State Public High School Athletic Associations if a student needs any accommodations during competitions. Any appeal regarding the District's eligibility decision will be directed to the Commissioner of Education.

Other Activities

Generally, in other circumstances where students may be sex-segregated, such as overnight field trips, students may be permitted to participate in accordance with the gender identity that the student consistently asserts at school. Student privacy concerns will be addressed individually and on a case-by-case basis in accordance with District Policy and applicable law, regulations, and guidelines.

Dress Code and Team Uniforms

Transgender or GNC students may dress in accordance with their gender identity or expression, within the parameters of the District's dress code. The District will not restrict students' clothing or appearance on the basis of gender.

The District's dress code applies while its athletes are traveling to and from athletic contests. Athletes will have access to uniforms that are appropriate for their sport.

Ref: The Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g
 34 CFR Part 99
 Title IX of the Education Amendments of 1972
 Education Law Article 2 and §§ 2-d, 11(7), 3201-a
 8 NYCRR § 100.2
 NYSED, Guidance to School Districts for Creating a Safe and Supportive School Environment for Transgender & Gender Nonconforming Students (July 2015)

Student Gender Identity (Continued)

New York State Public High School Athletic Association Transgender Guidelines (July 2015)

U.S. Department of Justice and U.S. Department of Education, Dear Colleague Letter on Transgender Students (May 2016)

Cross-ref: District Code of Conduct
2451, Nondiscrimination in Education Programs and Activities
5125, Availability of Student Records in accordance with FERPA
5148, Sexual Harassment of Students
5170, Student Harassment & Bullying Prevention and Intervention (DASA)

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