



Guidelines for Supporting Students who are Gender Diverse

(Material from the following sources were utilized to create this document: Gender Spectrum sample Gender Support Plan, procedural forms established by Vista Unified School District, Vista, CA; Guidelines from Chicago Public Schools, Chicago, IL and Boulder Valley School District, Boulder, CO; guidance documents from the U.S. Department of Education, CSBA, and the NEA; also from Schools in Transition, a collaborative effort of the ACLU, Gender Spectrum, NEA, Human Rights Campaign and NCLR)

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PURPOSE

These guidelines provide information regarding the unique needs of students who are gender diverse (transgender and gender non-conforming) in an elementary school setting, and how the Encinitas Union School District will support needs that may arise. The District maintains policies, supported by state and federal law, which maintain that our programs and environments are to be free from discrimination on the basis of sex, sexual orientation, gender identity and gender expression. These guidelines provide specific guidance on supporting these mandates with respect to students who are gender diverse (transgender or gender non-conforming), in order to realize our goal of creating a safe, comfortable and positive learning environment for students. In all cases our goal is to promote social inclusion and minimize stigmatization of students. These guidelines were created with input from local organizations who support youth who are gender diverse (transgender and gender non-conforming), and after a review of guidance documents made available by state and federal agencies. It is not possible to anticipate every issue that a student who is gender diverse (transgender or gender non-conforming) may encounter, however, so it is important that needs be addressed individually. A Gender Support Plan template is among the documents available, and it is recommended sites consider this tool to better support individual student needs.

DEFINITIONS

These definitions are meant to assist staff to understand terms commonly used within students who are transgender and/or gender non-conforming. These are not meant to label individuals, but to provide clarity to staff with respect to terms utilized within this document and within the community.

Biological Sex: Sex of student based on biological characteristics at birth.

Gender identity: refers to a person's internal, strongly held sense of their gender. This may or may not correspond to the sex they were assigned at birth. All individuals have a gender identity, and it is determined by their personal sense of themselves, independent of biological characteristics.

Gender diverse: "refers to the extent to which a person's gender identity, role, or expression differs from the cultural norms prescribed for people of a particular sex. This term is becoming more popular as a way to describe people without reference to a particular cultural norm, in a manner that is more affirming and potentially less stigmatizing than gender nonconformity." (Gender Spectrum, 2013; <https://www.genderspectrum.org/understanding-gender>).

Transgender: a person whose gender identity differs from the biological sex they were assigned at birth.

Gender expression: This is the outward expression of one's gender through clothing, activities, hairstyles, etc.

Gender nonconforming: refers to a person whose gender expression does not conform with standard societal expectations for an individual of their biological sex. Gender nonconforming is not the same as transgender. An individual may be gender nonconforming, for instance, not dress in ways stereotypically associated with their biological sex, but not identify as transgender.

Non-binary: refers to a person who does not identify specifically or at all times with either male or female identifiers.

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GUIDANCE

Discrimination/Harassment

The Encinitas Union School District is committed to providing a learning environment which is safe for all students, and free from bullying, discrimination or harassment. Research has shown that students who are transgender or gender nonconforming are at greater risk for bullying, discrimination or harassment. It is the responsibility of all staff members to promote a positive school culture and to intervene immediately if they see or are made aware of violations of this aim. This includes investigating claims of bullying, discrimination or harassment and assuring corrective actions are taken. Complaints of harassment, discrimination, bullying or violence will be addressed in accordance with BP 5145.3.

Privacy

Students who are gender diverse, transgender and gender nonconforming are entitled to share their gender identity and expression openly. Students who are gender diverse/transgender also have a right to privacy regarding their transgender status. They have the right to determine how much information they wish to share or be shared within the school community. Some students who are transgender may wish to not openly discuss their transgender status with the broader community, and this should be respected.

Schools must protect a student's privacy by making sure that student records are updated appropriately with respect to the student's name and gender marker, and by using the name and pronouns associated with the student's gender identity. Staff should also take care in answering any outside student, parent or community questions regarding a student's gender diverse/transgender status. As with any other private student information, transgender status is private and cannot be revealed to the broader community without permission. The Gender Support Plan can provide a template to document how these situations will be handled.

Names and Pronouns

Students have the right to be referred to by the pronouns and name associated with their gender identity. No legal court order or new birth certificate is needed to make this change.

Student Records

Schools will update student records in accordance with protocols in this document to assure student records reflect the name and gender marker associated with a student's gender identity. This must occur even if no formal process has been undertaken to legally change the name or gender marker. In cases where a name and/or gender marker has been legally changed, all records, official and unofficial will be changed. In cases where no legal change has been completed, all unofficial records will be updated and the student will be regarded at school as the gender associated with their gender identity. Most school records are considered unofficial, some examples include attendance lists, CNS lists, classroom rosters, report cards, student lists used for PTA activities, yearbook photos, enrichment activities, library... Examples of official records within an elementary

school setting include state testing records, special education reporting documents, other government reporting documents.

Facilities

Students who are transgender shall be allowed to access the bathroom facilities that correspond with their consistent gender identity. On a case by case basis special accommodations can be made for students who are gender diverse, transgender, or gender nonconforming, who wish to identify alternate bathroom options. No student who is transgender or gender nonconforming will be required to use alternative bathroom facilities, however. This option would be accommodated based on specific student request on a case by case basis, and will take into consideration the student's privacy rights.

Gender Segregated Activities

It is recommended that schools avoid segregating students by gender, i.e., lining up by boys and girls, creating boy's teams and girl's teams, separating students by gender for instruction, etc. In cases where this practice occurs, however, students who are transgender will be included in the group that corresponds to their gender identity.

5th Grade Human Growth and Development unit

Students should not be gender segregated for the Human Growth and Development unit offered in 5th grade. In order to provide a more comfortable environment for students to ask questions regarding personal, private issues related to puberty and development, teachers are encouraged to have students submit questions anonymously. This could be into a jar or bowl, or electronically. Among some of the topics covered within this unit are the processes of male puberty, the processes of female puberty, and fetal growth in the womb. This particular unit could be impactful for students who are transgender as the processes of puberty described for the two genders are described in detail, and these may differ from their personal experience. It is recommended that the school team consider utilizing the Gender Support Plan document to consider how to best support a student who is transgender during this unit.

Overnight school trips

For overnight school trips, such as the 4th grade Star of India field trip and 6th grade camp, there may be occasions where students are separated by gender. Students are entitled to be grouped according to their consistent gender identity. There may be situations where a student wishes alternate sleeping accommodations. These requests can be addressed within the Gender Support Plan, or on a case by case basis.

Special programs or activities, field trips

Students who are transgender have the right to participate fully in all school sponsored activities, and to do so in accordance with their consistent gender identity. This includes any field trip or athletic activity that may be gender segregated, or any other special program, or school sponsored after school activity. In such a case, students will be grouped according to their consistent gender identity.

Dress Codes

It is recommended that sites refrain from adopting gender specific dress codes. To the extent dress codes are enacted at sites, students who are gender diverse, transgender and/or gender nonconforming have the right to dress according to their consistent gender identity or gender expression.

ADDITIONAL RESOURCE MATERIALS

<https://www.apa.org/pi/lgbt/programs/safe-supportive/lgbt/key-terms.pdf>

<https://www.csba.org/~media/E68E16A652D34EADA2BFDCD9668B1C8F.ashx>

“CSBA Policy Brief: Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students (February 2014)”

<https://www.genderspectrum.org>

<https://www.genderspectrum.org/articles/schools-in-transition>

“Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools”

<https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>

“Examples of Policies and Emerging Practices for Supporting Transgender Students. U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students (May, 2016)”

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1266

AB 1266

LOCAL RESOURCES

<https://www.ncresourcecenter.org>

North County LGBTQ Resource Center

<https://www.transfamily.org>

Transfamily Support Services

Request for Change of Name and/or Gender Marker of a Minor

CONFIDENTIAL DOCUMENT

I request that my name and gender marker be changed as follows:

Current name: _____

New name: _____

My current gender marker is: _____ I request gender marker be changed to: _____

_____ I **have** obtained a legal name and/or gender marker change and can provide documentation of such. *(In such a case all students records, both official and unofficial, would be updated.)*

_____ I **have not** obtained a legal name and/or gender change, but am asserting a gender identity other that which is currently listed on my official records. *(All unofficial student records would be updated at this time, and student would be regarded at school as their chosen gender identity. All official records would be updated if/when student obtained a legal name and/or gender marker change. Obtaining an official, legal name and/or gender marker change is the responsibility of the student and/or family.)*

A **Gender Support Plan** can be developed to assist with student's transition at school. Would you like such a plan?

_____ Yes

_____ No, not at this time

In signing below, I agree to change my name and/or gender markers as listed above, and to have this information shared with teachers and staff who need to know this information in order to support me:

Student Signature

Date

Parent/Legal Guardian Signature

Date

Received by:

Principal

Date

Name and/or Gender Marker Change Procedures Checklist

CONFIDENTIAL DOCUMENT

Student name/gender marker: _____

Original name/gender marker: _____

Task	Responsible Party	Date Completed	Signature of responsible party
Notify school psychologist of Name/Gender Change request (NGC)	School Principal		
Meet with student and parents, to discuss procedures, and to develop Gender Support Plan if family agrees.	School Principal (it is recommended the school psychologist also participate)		
Provide NGC form to School Service Secretary	School Principal		
Make name and gender change in Student Information System (directions listed below)	School Service Secretary		
Make name change on Cumulative folder, and any paper emergency forms	School Service Secretary		
Notify all student's teachers of NGC. Consider classroom teachers, enrichment teachers, intervention teachers, sped services staff; all staff who work directly with the student. This list can be refined as part of the Gender Support Plan.	School Principal		
Notify school nurse and health tech of NGC	School Principal		
Assure student's name and gender change information is accurately listed in CNS system	School Service Secretary		
Assure student's name and gender information is accurately reflected in student lists provided to/shared with: PTA, yearbook photographers, Aspire, any enrichment vendors the student accesses	School Service Secretary		
Assure all unofficial classroom lists and classroom identifiers are updated to show name and gender that corresponds to student's gender identity, to assure subs or volunteers do not misidentify student.	Classroom teachers		
Check in with student and family within first month of initiating this process.	School Psychologist		

PowerSchool name/gender change instructions: PowerSchool has two options: Preferred name/gender and Reportable name/gender. If a child has had their name and gender changed through the courts, these will be the same. Otherwise, they will be different. An official court order or birth certificate is required to change the "Reportable" fields.

(Guidance documents from Vista Unified School District, Vista, CA were utilized to develop these forms.)

Gender Support Plan

CONFIDENTIAL

Name Student Uses: _____ Original Name on Birth Certificate: _____

Date: _____ School: _____ Grade: _____

Student's Gender Identity: _____ Gender assigned at birth: _____

Parents/Legal Guardians: _____

Siblings/Grades: _____ / _____ / _____

Meeting Participants: _____ / _____ / _____

_____ / _____ / _____

Confidentiality, Privacy, and Disclosure

Student has a right to privacy and confidentiality of student records. Only parties with a legitimate need to know will be informed of student's name and/or gender change request. Student will be identified and regarded day to day in accordance with their gender identity while at school, based on their wishes. Some students may elect to be universally open about their gender identity, whereas others may opt to be open with some staff and/or students, but not universally "out." Please list any requests related to confidentiality, privacy and disclosure:

How will teachers/staff members respond to any questions about student's gender from:

Other students _____

Staff members _____

Community _____

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Student Safety

Student's "go to" adult(s) on campus include: _____

If these adults are not available, student will: _____

If student is feeling unsafe during class, on the playground or elsewhere on campus, student will signal for help by:

If student's signal is not seen by the adult, student may: _____

If parents are concerned that student may feel unsafe, or be the target of harassment, they should contact:

Consideration of School-based Counseling Support

Student, and/or parents are interested in school-based counseling support from the school psychologist:

_____ Yes _____ No, not at this time

If student will be receiving school-based counseling support, the plan is for:

_____ A set number of sessions, _____ number of sessions.

_____ Drop in services as needed.

_____ Ongoing sessions scheduled at set times during the school year.

_____ Group sessions, if there is an appropriate group available

Goals of school-based counseling include: _____

Names, Pronouns and Student Records

Name/gender to be used when referring to the student at school: _____/_____

Responsible party to assure school records reflect this name and gender marker: _____

What pronouns will be used to identify student:

_____ pronouns commonly associated with their expressed gender identity

_____ other pronouns, to include: _____

How will instances of misidentification by staff be handled: _____

How will instances of misidentification by students be handled: _____

Student records will be updated as follows:

_____ Student **has legally** changed name and gender marker, official and unofficial school records updated

_____ Student **has not legally** changed name/gender, all unofficial school records will be updated

In elementary schools, examples of official records include: state reporting and government records, IEP documents, state testing records. Unofficial records include report cards, attendance lists, lunch lists, and most other school lists.

Notes or considerations regarding school records: _____

Use of facilities

Student will use the following bathrooms on campus and on school trips: _____

It is assumed student will use bathrooms consistent with their gender identity, but if student would like an alternate option this would be listed here.

Are there any considerations regarding student access or safety using the facilities listed above? If so, how will these be addressed: _____

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Extra-curricular and/or Offsite Activities

How will sleeping arrangements be handled on any overnight school trips: _____

What additional supports, if any, should be considered for overnight or off-site trips: _____

Are there any considerations for participation in school-based after school activities? _____

Other Considerations

Are there considerations regarding how to communicate (or whether to communicate) information to student's peers regarding student's name/gender marker changes? If so, how will this be addressed: **(note: if classmates participate in a whole class instructional opportunity around gender diversity, the gender diverse student accepts that their classmates' parents will be informed that such an educational opportunity is being presented)** _____

Are there any factors to consider regarding siblings at school? If so, how will these be addressed: _____

Are there any school dress code considerations? If so, how will these be addressed: _____

Are there any lessons, units or activities that warrant consideration this year? (examples could include: the 5th grade Human Health and Development Unit, swim programs, social justice units, inclusion events, special trips... If so, how will these be addressed? _____

Are there any special considerations or social dynamics with specific students or families that need to be considered? If so, how will these be handled? _____

Should we consider offering a presentation to the parent community, not student specific, but regarding transgender students more generally? _____

What trainings have been offered, or will be conducted, with the school staff to build their capacity to support transgender and gender non-conforming students? _____

Are there any additional issues to consider? _____

Support Plan Review and Revision

Case manager responsible for monitoring this plan (School Psychologist):

This plan will be revisited and potentially revised by (date):

If student or parents would like to address changes to this plan prior to the above date, they should contact:

Copies of this plan to: Parents, Classroom teacher, Principal, School Psychologist, Executive Director, Student Services

(Materials from Gender Spectrum were utilized and adapted to create this document.)

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