Maritime Academy Charter School

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STUDENT EXPRESSION POLICY

Freedom of Expression

1. The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Constitution of the Commonwealth.
2. Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, encourages unlawful activity or interferes with another individual's rights.
3. Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, and any other means of common communication, provided that the use of public school communications facilities shall be accordance with the regulations of the authority in charge of those facilities.
4. Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full means of their expression.
5. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.
6. Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials.
7. School officials may require students to submit for prior approval a copy of materials to be displayed, posted, or distributed on school property.
8. Bulletin boards must conform to the following:
    a. School authorities may restrict the use of certain bulletin boards.
    b. Bulletin board space should be provided for the use of students and student organizations.
    c. School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.
9. School newspapers and publications must conform to the following:
    a. Students have a right and are as free as editors of other newspapers to report the news and to editorialize within the provisions in paragraphs d. and e.
    b. School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material, and edit other material that would cause a substantial disruption or interference with school activities.
    c. School officials may not censor or restrict material simply because it is critical of the school or its administration.
    d. Prior approval procedures regarding copy for school newspapers must identify the individual to whom the material is to be submitted and establish a limitation on the time

required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered authorized for distribution.

e. Students who are not members of the newspaper staff shall have access to its pages. Written criteria for submission of material by non-staff members shall be developed and distributed to all students.

10. The wearing of buttons, badges or armbands shall be permitted as another form of expression within the restrictions listed under number 3.
11. School officials may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.
    a. A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.
    b. The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

TRANSGENDER AND GENDER NON-BINARY STUDENT POLICY

Overview

Throughout the preceding decades, courts and regulatory agencies have recognized that federal laws prohibiting sex discrimination, including Title VII, Title IX and the Equal Protection Clause, prohibit discrimination against transgender people whether based on sex stereotypes, gender identity, or gender transition.

Although neither Pennsylvania nor federal statutes specifically prohibit discrimination based on sexual orientation or gender identity, federal courts and some federal agencies have recognized discrimination against Transgender and Gender Non-Binary individuals as a form of gender or sex discrimination.

For instance, Title IX of the Education Amendments of 1972 ("Title IX") specifically prohibits discrimination on the basis of sex in federally funded education programs and activities. The United States Department of Education's Office for Civil Rights has issued guidance recognizing that Title IX protects transgender students against discrimination based on their gender identity. Additionally, the U.S. Departments of Education and Justice have stated that under Title IX, "discrimination based on a person's gender identity, a person's transgender status, or a person's nonconformity to sex stereotypes constitutes discrimination based on sex" and asserted a significant interest in ensuring that all students, including transgender students, have the opportunity to learn in an environment free of sex discrimination in public schools.

Locally, City of Philadelphia Bill No. 130224 (April 2013) amends the Philadelphia Code to provide for equality of treatment of all persons in the City of Philadelphia regardless of gender identity or sexual orientation. Specifically, it provides for gender neutrality in certain City forms and online websites, access to public accommodations based upon an individual's gender identity, the right to dress consistently with one's gender identity, and the right of transgender individuals to request name and gender changes on pertinent records.

School District of Philadelphia Policy Section 102, Multiracial-Multicultural-Gender Education

(August 2004), states that policy of the School District is to foster knowledge about and respect for those of all races, ethnic groups, social classes, genders, religions, disabilities, sexual orientations (perceived or known) and gender identities (perceived or known). School District of Philadelphia Policies 248 and 249 (September 2010) prohibit all forms of harassment and bullying by District students, and further prohibits reprisal or retaliation against individuals who report these acts or who are targets, witnesses and/or bystanders to acts of discrimination.

The School District Student Code of Conduct (2015-2016) states that students shall have the right to dress in accordance with their stated gender identity and/or expression within the constraints of the school's dress code. Additionally, in 2021, the School District of Philadelphia determined that every school will be required to have a gender-neutral bathroom.

In 2022, the Philadelphia City Council unanimously passed legislation aimed at expanding safeguards for transgender and gender non-conforming students under the City's new regulation, known as The Uniform Policy of non-discrimination, as to Transgender and Gender Non-Conforming Youth.

Nondiscrimination policies that prohibit discrimination based on gender identity and gender expression will ensure that transgender students have equal access to respectful, knowledgeable treatment and education.

As such, in conformity with Philadelphia law, MACS now introduces the following Transgender and Gender Non-Binary policy to ensure safety, equity, and justice for all students regardless of gender identity or gender expression so that they can reach their fullest human and intellectual potential.

This policy is intended to facilitate compliance with other local and federal laws, as well as the School District of Philadelphia's policies concerning bullying, harassment and discrimination.

Definitions

"Sex assigned at birth" is the classification, either male or female, that a doctor assigns to an individual upon birth. This differs from biological sex, which encompasses sex traits both external and internal, including genitals, hormones, chromosomes, and internal reproductive organs.

"Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the sex they were assigned at birth. Individuals determine their own gender identity and gender identity may change over time.

"Cisgender" describes people whose gender identity is consistent with their sex assigned at birth.

"Transgender" describes people whose gender identity is different from their sex assigned at birth.

"Gender expression" refers to the way a person expresses gender to others through behavior, clothing, hairstyles, activities, voice or mannerisms.

"Gender nonconforming," "gender variant," and "gender queer" describe people whose

gender expression and/or gender identity falls outside the traditional male-female binary.

"Gender-neutral pronouns," such as they/them/their (singular), are used by some transgender and gender non-conforming people.

"Social transition" refers to a change in any combination of the following: name, pronouns, gender identity, or gender expression. Social transition does not necessarily involve any legal name change or medical intervention and does not need to be certified by a doctor or therapist.

"Medical transition" refers to the use of puberty blockers, hormones, or surgery by a transgender or gender non-conforming person, designed to align their physical sex characteristics with their gender identity.

"Questioning" is the process of self-exploration and self-discovery about one's gender identity, often involving unlearning one's assigned gender and learning a new one. There is no timetable for this process.

In General

This policy covers conduct that takes place in the school, on school property, at school-sponsored functions and activities. This policy also pertains to usage of electronic technology and electronic communication that occurs in the school, on school property, at school-sponsored functions and activities, and on school computers, networks, forums, and mailing lists. This policy applies to the entire school community, including educators, school and MACS staff, students, parents, and volunteers.

Names/Pronouns

A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. The name and pronouns with which the student identifies shall be used in all interactions between them and school staff and students as well as on written records including class rosters, report cards, letters from the school or School District, transfer forms, and photo ID. A court-ordered name or gender change is not required, nor is evidence of therapy or medical transition. The intentional or persistent refusal to respect a student's gender identity (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student's gender identity) is a violation of this policy.

Hate Speech

Students shall not use derogatory or offensive terminologies when communicating with or referring to a transgender or gender nonconforming individual. Administrative staff shall take reasonable steps to prevent and promptly correct any derogatory or offensive terminologies used in communication with or in reference to a transgender or gender nonconforming individual. Offensive slurs when used in any context may be considered hate speech.

Privacy/Confidentiality

All persons, including students, have a right to privacy, and this includes the right to keep one's transgender identity private at school. Information about a student's transgender identity, legal name, or sex assigned at birth also may constitute confidential medical information. School

personnel should not disclose information that may reveal a student's transgender identity or gender nonconformity to others, including parents and other school personnel, unless the student has authorized such disclosure. Transgender and gender nonconforming 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.

Gender-Segregated Activities

To the extent possible, MACS shall reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, students will be included in the group that corresponds to their gender identity.

To the extent possible, MACS will evaluate all gender-based activities, rules, policies, and practices — including classroom activities, school ceremonies, and school photos — and maintain only those that have a clear and sound pedagogical purpose. Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

Gender-Neutral Language

To the extent possible, MACS will use gender-neutral language in written communication with all students and families, regardless of student's gender identity. This included employing "they" (singular) instead of "he/she."

Restroom Access

The City of Philadelphia forbids discrimination based on gender identity. It is an unlawful, discriminatory practice to directly or indirectly refuse, withhold from, or deny a person any of the accommodations, advantages, facilities, services, or privileges of the school based upon a person's actual or perceived gender, including the individual's actual or perceived sex, gender identity, self-image, appearance, behavior or expression, even if that gender identity, self-image, appearance, behavior or expression is different from that which has traditionally been associated with the legal sex assigned to a person at birth. Students shall have access to the restroom that corresponds to their gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a gender-neutral single stall restroom, but no student shall be required to use such a restroom.

Locker Room Access

Students shall have access to the locker room that corresponds to their gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, will be provided with a reasonable alternative changing area such as the use of a private area. Any alternative arrangement should be provided in a way that protects the student's ability to keep their transgender identity confidential.

Dress Codes/Uniforms

Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression. MACS does not adopt a dress code that restricts students' clothing or appearance on the basis of gender.

Physical Education Classes & Intramural Sports
To the extent possible, transgender and gender nonconforming students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity.

Interscholastic Competitive Sports Teams
Participation in competitive athletic activities and contact sports will be resolved on a case-by-case basis.

Curriculum
MACS will continue to provide age-appropriate comprehensive health education curriculum that includes the four domains of health including; physical, mental, emotional, and social.

Discrimination/Harassment
Allegations and/or Incidents of discrimination, harassment, or violence will be given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender identity or gender nonconformity will be handled in the same manner as other discrimination or harassment complaints.

Training and Posting Requirement
MACS shall regularly conduct training for all staff members on their responsibilities under the uniform policy of nondiscrimination set forth in applicable laws and regulations. To the extent possible, MACS shall implement ongoing professional development to build the skills of all staff members to prevent, identify, and respond to bullying, harassment, and discrimination against transgender and gender nonconforming youth. MACS shall make the uniform policy of nondiscrimination known to the students it serves in English and the primary languages of youth who commonly access the school. MACS shall post the written policy in a location accessible to all, on its website, and by such other notification measures as the school determines.

MACS is committed to providing a safe and welcoming learning environment for all students. MACS guidelines and policies comply with Regulation No. 9 as outlined by the Philadelphia Commission on Human Relations.

DRESS CODE AND UNIFORM POLICY

The appearance of the student is the duty of both the parent/guardian and the student and must conform to the educational environment and decorum of the school. Any appearance deemed by the school staff to be inappropriate in an educational setting will be referred to the principal or assistant principal for determination.

Cadets are required to wear the designated school uniform. Those who do not comply with this policy will be subject to immediate disciplinary action. If a cadet does not comply with the dress Code:

- Parent(s)/guardian(s) will be contacted to deliver the uniform to the school
- Cadets will be supplied appropriate uniform items, if available from the donation closet
- Cadets will be given a uniform at their expense
- Cadets will be required to change

- Any items worn that are not part of the MACS dress code will be confiscated and held until a parent/guardian claims the item(s).

Cadet attire should demonstrate respect for self, for others, and for an atmosphere of learning. Administration reserves the right to determine appropriate dress. MACS' Code of Conduct clarifies consequences for cadets who repeatedly choose to not follow the uniform and/or dress-down day policies.

I. CADET UNIFORMS

All required uniform garments should be purchased through a school approved vendor (additional information in the main office).

A. Appropriate Uniform

Cadets may wear:

- A logo shirt (long or short-sleeved) in grade-specific colors
- Grades K-8 wear blue polo shirts
- Grades 9-11 wear blue polo shirts
- Grade 12 wears red. Only cadets with the necessary amount of credits may wear red shirts.
- Solid white undershirts or undershirts that match the color of the uniform shirt. They may be long-sleeved.
- Polos must be tucked into pants.
- Long-sleeved, ¼ zip fleece with official MACS name; Solid black sweater or sweater with official MACS name.
- Solid black khaki slacks with a black belt must sit at the waistline and below the ankle.
- Solid black skorts must be no more than 2" above the knee. Skorts must be accompanied by black knee high socks/hosiery and black shoes.
- Solid black or solid white socks
- Solid black belt without any embellishments
- Black shoes, black sneakers, or black boots
- Spirit wear (MACS t-shirts and sweatshirts) purchased in the school store
- Spirit wear may be worn once a month per school monthly calendar (Elementary School Only)
- Spirit wear may be worn on Thursdays (High School Only)
- Athletes and members of a sports team are allowed to wear the athletic shirt, jersey, or jacket on game days.
- Chino/khaki style black shorts are permitted from May 1 to October 1, only.
- Solid black sweatpants may be worn for physical education and/or maritime-related physical education activities, only.
- Non-Smart Watches, medical bracelets, identification bracelets

B. Inappropriate Dress

Cadets may NOT wear:

- Jeans, Leggings, Skirts, Jeggings, Tights, or Athletic Shorts
- Embroidery or brand logos
- Hats
- Dark-lens glasses or sunglasses
- Head coverings (unless religious)
- Open-toe, open-back or platform shoes

- Slippers, moccasins, flip-flops sandals, slides, or snow boots
- Apple/Smartwatches
- Visible tattoos
- Coats and outer clothing. Upon arrival to school, these items must be placed in the locker or classroom hook.
- Long fingernails (natural or fake) that are disruptive to the educational process.

Cadets must remain in full school uniform from the time they enter the school building until departure. Cadets remaining after school for tutoring or academic support must remain in full school uniform until departure.

Maritime Academy Charter School works to prepare cadets with the skills and behavior that will allow cadets every opportunity to succeed at school and beyond. Therefore, MACS requires a conservative conduct and appearance.

II. DRESS-DOWN DAY GUIDELINES

Dress-down days are a privilege and help fundraise for the school. Cadets who choose not to participate are required to wear the school uniform. Cadets must pay during Advisory to dress-down.

Cadets who do not pay but come without a uniform, will be considered out of uniform. For any additional violations, the cadet will not be allowed to participate in future dress- down days.

- Shorts and skorts must be within two inches of knees in length.
- Sheer or transparent clothing or clothing is not permitted
- Sleeveless tops without shoulder covering is not permitted
- Clothing with inappropriate language, gestures, or pictures is not permitted
- Open-toe, open-back or platform, slippers, moccasins, flip-flops sandals, slides, or snow boots are not permitted.
- Pajamas or nightgowns are not permitted
- Dress-down day clothing should not interfere with the academic environment

If a cadet does not wear the designated school uniform and a parent/guardian cannot be reached, the cadet may not be able to participate in class and school activities.

The principal and assistant principal reserve the right to determine acceptable dress code standards.