

ABINGTON SCHOOL DISTRICT
ABINGTON, PENNSYLVANIA

SUPERINTENDENT'S
ADMINISTRATIVE PROCEDURE

REGARDING: **Nondiscrimination of Students
in Classroom Practices –
Gender Expansive and
Transgender Students**

Section: **Students**

Effective Date: May 20, 2016

Reissued: 2/28/17, 10/25/19, 9/9/21, 8/10/22,
8/16/24 See Also: Related Board Policy

Definitions

Terminology and language describing transgender and gender expansive individuals can differ based on region, language, race, ethnicity, age, culture and many other factors. Members of the Abington School District should inquire which terms individuals prefer. Many of the following definitions are intended as functional descriptors, though individuals may choose to use other terms.

Assigned Sex at Birth – the sex designation, usually “male” or “female,” assigned to a person when they are born.

Biological Sex – the biological attributes such as anatomy, chromosomes, and hormones that inform whether a person is male, female, or intersex. Where *sex* refers to biology, *gender* refers to the cultural and social understandings that are layered on top of biology.

Cisgender – individuals whose sex assignment at birth aligns with their gender identity and expression.

Gender – socially determined characteristics, roles, behaviors, and attributes a society expects from and considers appropriate for males and females; these characteristics are often referred to as “feminine” and “masculine.”

Gender Binary – the cultural concept of two traditional genders paired with sex, male as masculine and female as feminine.

Gender Diverse – a term that conveys a wider, more flexible range of gender identity and/or gender expression than typically associated with the binary gender (male/female) system. People may identify and/or express themselves in ways that broaden the culturally defined behavior or expression associated with one gender. Gender diverse often serves as an “umbrella term” for people who do not meet the “traditional” understandings of gender and who do not want their gender to be defined in a box. Gender diverse is not synonymous with transgender; not all gender diverse individuals identify as transgender. Some individuals may choose to use gender expansive or non-binary rather than gender diverse.

Gender Expression – the external expression of one's gender identity, which can include appearance, behavior, and voice.

Gender Identity – a person's sense of what gender(s), if any, with which they identify. This is a person's internal sense and not to be confused with external expression.

Gender Fluid – used by people who do not identify with a fixed gender in regard to time and/or identifiers. The focal point is that a dynamic rather than static gender expression and/or identity. For example, fluidity may be in regard to both time and labels: A gender fluid person may feel they are more female on some days/weeks/years, male on others, or possibly feel that neither term describes them at all.

Pronouns – the term a person decided align best with their gender identity and expression of self; a person's pronouns should be used when referring to them.

Polygender – identifying with multiple genders.

Gender Expansive – a term that conveys a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. Gender expansive is not synonymous with transgender; not all gender expansive individuals identify as transgender.

Gender Nonconforming – describes individuals whose gender expression differs from cultural or societal expectations. Gender nonconforming individuals may identify as male, female, some combination of both, or neither.

Gender Transition – the process by which some people strive to more closely align their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns and/or be socially recognized as another gender. Others may undergo physical transitions in which they modify their bodies through medical interventions. Not every person wants to transition from male to female or from female to male and other people believe they fall somewhere in between such binary definitions of gender.

GET – an acronym that stands for “gender expansive and transgender.”

Intersex – a person whose biological sex falls between the medical standards of male and female.

LGBTQ+ – an acronym that stands for “lesbian, gay, bisexual, transgender, and queer or questioning.” Questioning incorporates those who are uncertain or fluid about their sexual orientation and/or gender identity. The “+” symbol is added to acknowledge that other descriptors exist. Sometimes an “I” for intersex and “A” for asexual are added to the acronym.

Queer – a word used to describe people who transgress culturally imposed norms of heterosexuality and gender identity. Many individuals embrace the word today and use it as a more concise word rather than the acronym LGBTQ+. Others do not use the word because of its previously derogatory connotation.

Questioning – a term that may be used to describe someone who is unsure of or undecided about their sexual orientation and/or gender identity.

Sexual Orientation – a person’s emotional, romantic and/or sexual attraction to people of the other and/or same gender. Common terms used to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, bisexual and queer. Sexual orientation is different from gender identity or gender expression. Transgender or gender diverse students may identify as gay, lesbian, bisexual, or heterosexual.

Transgender – A person whose gender identity and/or gender expression is different from that of the gender they were assigned at birth.

Transition – the process in which a person goes from living and identifying as one gender to living and identifying as another. Each transgender person has a unique process in which they go from living and identifying as one gender to living and identifying as another. Gender transition can occur at any age. It begins internally then expands to external expression. This can include social, medical and/or legal transition.

Guidelines

A. Privacy/Confidential Health or Educational Information

All persons, including students, have a right to privacy. This includes keeping a student’s actual or perceived gender identity and expression private. Disclosing such information to other students, their parents/guardians, or other third parties may violate privacy laws such as the federal Family Educational Rights and Privacy Act (FERPA). Therefore, school personnel should not disclose information about a GET student’s gender identity and expression to others, including the student’s parents/guardians and/or other school personnel, unless legally required to do so or unless the student has authorized such disclosure.

Students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much information to share.

District and school personnel may encounter situations where transgender students have not disclosed their transgender status. School personnel must be mindful of the confidentiality and privacy rights of students when communicating with others, so as to not reveal, imply, or refer to a student’s gender identity or expression.

To ensure confidentiality when discussing a particular concern such as conduct, discipline, grades, attendance, or health, school personnel’s focus should be specifically school-related and not on the student’s gender identity or expression.

B. Official Records

The District is required to maintain in perpetuity mandatory permanent pupil records (“official records”) which include the legal name of the student and the student’s gender as indicated on official government issued documents such as birth certificates, passports and identification cards/permits. The official records may include but are not limited to progress and grade reports, transcripts, assessment data, health records, discipline records, Individualized Education Programs (IEP), Gifted Individualized Education Programs (GIEP), and Section 504 Plans and cumulative folder.

The District will change a student's name and gender on official records when the name of the student is changed by the appropriate court action, such as by a change of name proceedings or through amendment of state or federally-issued identification. The new name is the official legal name of the student for all purposes, including school registration. Upon the submission of paper evidence of the court order, the student's official name in all school records shall be changed to reflect the legal name change.

C. Unofficial Records

The District shall permit a student to use a preferred name on unofficial records. This request shall be made in writing to the student's principal using Attachment A, *Preferred First Name Change for ASD's Unofficial Pupil Records* Form. The unofficial records may include but are not limited to ID cards, classroom rosters, diplomas, certificates, programs, announcements, office communications, team and academic rosters, newspapers, newsletters, school directories, yearbooks and other site-generated unofficial records. The preferred name shall also appear on the student's cumulative folder (official record) as "Also Known As" (AKA).

The District shall input the student's preferred name in the appropriate field of the District's electronic data system to indicate how the student's name will appear on unofficial records.

The District shall permit a student or parent/legal guardian to request a change of name so that the student may be registered in school under a name that corresponds with the student's identity without obtaining court order or without changing the student's official records. This request shall be made in writing to the student's principal using Attachment A.

After the school receives and verifies the contents of the completed form, the school shall change the name of the student in the District's electronic data system and enter the preferred name AKA in the cumulative folder. In the cumulative folder and registration card, the AKA name should be cross-referenced.

D. Names and Pronouns

Students have the right to be addressed by the name and pronoun that corresponds to their consistently asserted gender identity. A court-ordered name or gender change is not required, and the student need not otherwise change his or her official records or obtain parent/legal guardian permission in order to be addressed by the name and pronoun that corresponds to the student's consistently asserted gender identity.

Students shall be known by their name and the gender in which the person identifies. However, there may be situations (e.g., communications with family, official state or federal records, and assessment data) where it may be necessary and recommended for staff to be informed of the student's legal name and gender. In these situations, staff should prioritize the safety, confidentiality, and respect of the student in a manner that affirms the law.

If school personnel are unsure how a student wants to be addressed in communications to the home or in conferences with parents/legal guardians, they may privately ask the student. For communications with a student's parent/legal guardian, school personnel should refer to this policy's prior section on "Privacy, Confidential Health or Education Information."

Every effort should be made to use the chosen names and pronouns consistent with a student's gender identity. While inadvertent slips or honest mistakes may occur, the intentional and persistent refusal to respect a student's gender identity is a violation of District Policy.

E. Restroom Accessibility

Schools may maintain separate restroom facilities for male and female students. Where schools maintain separate restroom facilities for male and female students, GET students shall have access to the restroom that corresponds to their gender identity asserted at school.

Where available, a single stall restroom should be available to any student, GET or not, who desires increased privacy, regardless of the underlying reason.

If a student desires increased privacy, regardless of the underlying reason, the administrator or designee shall make every effort to provide the student with reasonable access to an alternative restroom such as a single-stall restroom. The use of such a single stall restroom should be a matter of choice for a student, and no student shall be compelled to use such restroom.

Administrators or designees may take steps to designate single stall "gender neutral" restrooms in the District.

F. Locker Room Accessibility

Schools may maintain separate locker room facilities for male and female students. Students shall have access to the locker room facility that corresponds to their gender identity.

1. If there is a request for increased privacy, *any* student shall be provided access to a reasonable accommodation such as but not limited to:
 - a. Assignment of a student locker in near proximity to the coaches' office or a supportive peer group.
 - b. Use of a private area within the public area of the locker room facility (e.g., nearby restroom stall with a door or an area separated by a curtain).
 - c. Use of a nearby private area (e.g., nearby restroom).

G. Sport, Athletics, and Physical Education Classes

Physical education classes and events are typically co-gender. In the event that the classes or activities are sex-segregated, GET students shall participate in physical education by their gender identity asserted at school.

Participation in competitive athletics, intramural sports, athletic teams, competitions, and contact sports shall be facilitated in a manner consistent with the student's gender identity and in accordance with the Pennsylvania Interscholastic Athletic Association (PIAA) bylaws.

H. School Activities and Programs

Students have the right to equitable access to activities and programs in their school. Students may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the basis of gender identity in any program or activity. These activities and programs may include but are not limited to school day/after school activities/ programs and all extra- curricular activities.

Whenever students are separated by gender in school activities or are subject to otherwise lawful gender specific rule, policy, or practice, students must be permitted to participate in such activities or conform to such rule policy or practice consistent with their gender identity (U.S. Department of Education Office of Civil Rights, 2014).

For overnight field trips, GET students can communicate their preferred sleeping arrangement to their teacher and/or a school administrator at least a month prior to the date of the field trip. As with any other student, the school should try to pair the GET student with peers with whom the student feels comfortable. In some cases, a GET student may want a room with fewer roommates or another alternative suggested by the student or their family. The District should honor these requests whenever possible and make adjustments to prevent the student from being marginalized because of those alternative arrangements. Regardless of whether those roommates know about the student's gender identity, the District has an obligation to maintain the student's privacy and cannot disclose or require disclosure of the student to the other students or their parents.

I. Course Accessibility and Instruction

Students have the right to equitable learning opportunities in their school. Students shall not be required to take and/or be denied enrollment in a course on the basis of their gender identity in any educational and academic program.

J. Dress Codes

A school's dress code policy shall be gender-neutral. Schools cannot enforce specific attire based on gender.

Students shall have the right to dress in a manner consistent with their gender identity or gender expression to the extent that such dress does not conflict with school rules or other Board policies or administrative regulations. Gender-neutral dress code guidelines apply to regular school days as well as any school sponsored activities.

K. Student Safety

School staff must ensure that students are provided with a safe school environment that is free of discrimination, harassment, bullying and/or intimidation.

School staff and families should work together to resolve complaints alleging discrimination, harassment, bullying and/or intimidation based on a student's actual or perceived gender identity or expression. Complaints of this nature are to be handled in the same manner as other complaints. Consideration should be given as to whether a Sexual Harassment investigation is warranted. For more information, see the District's policy prohibiting harassment by and of students and employees.

L. Discrimination/Harassment

Incidents or complaints of alleged discrimination, harassment, or violence against a transgender or gender expansive student shall be given prompt investigation in the same manner as other discrimination/harassment complaints.

M. Education and Training

The District will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. In order to further a safe and supportive school environment for all students, the District will incorporate education and training about GET students into their anti-bullying curriculum, student leadership trainings and staff professional development. The content of such professional development/training should include, but not be limited to:

- Terms and concepts related to gender identify, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents/guardians about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying;
- District and staff responsibilities under applicable laws and District policies regarding harassment, discrimination, and gender identity and expression issues.

Preferred First Name Change for Abington School District's Unofficial Pupil Records

Complete this form to request an update to your or your child's preferred name (first name only). Submit the form to the Principal of the school. The student's preferred name will appear on unofficial records as specified by the student below and as defined in the Superintendent's Administrative Procedures regarding Nondiscrimination of Students in Classroom Practices – Gender Expansive and Transgender Students. The student's legal name will appear on official records. These changes will be reflected in student records from point of request and moving forward; past unofficial records will not be updated unless required by law.

Phone: _____

Student's Legal Name (first and last): _____ Student's Date of Birth: _____

Student's Preferred First Name: _____

Please check the unofficial records you request be changed to have the student's Preferred First Name appear:

_____ ID Cards	_____ Team and Academic Rosters
_____ Classroom Rosters	_____ Diplomas
_____ Certificates	_____ Newspapers
_____ Programs	_____ Newsletters
_____ Announcements	_____ School Directories
_____ Office Communications	_____ Yearbooks
_____ All district/school-generated unofficial records	

Student Signature: _____ **Date:** _____

Parent/Guardian(s) Signature
(Required for students under 18*): _____ **Date:** _____

***Note:** If the signature of the Parent/Guardian cannot be obtained, the student should contact their counselor. The counselor will contact the District's Director of Pupil Services or designee prior to submitting this request.

Office Use Only: _____

Date Form Received: _____

Form reviewed by Staff Name: _____ Staff Signature: _____