

TRANSGENDER STUDENTS

The Pennsville School District Board of Education will not tolerate discrimination of any kind, including discrimination on the basis of gender identity or expression. The Board adopts this Policy in order to protect transgender students' rights to have equal access to the District's educational programs and activities, as well as inform students, parents, and District staff of the rights of transgender students in the school setting. The Board, Administration and all school staff members will comply with all Federal and State Laws and Regulations regarding transgender students.

Definitions

For the purposes of this Policy:

1. The phrase "Gender Expression" refers to the manner in which a student represents his or her gender to others, often through clothing, hairstyles, activities, or voice.
2. The phrase "Gender Identity" refers to a student's true, internal sense of gender, whether or not coinciding with the student's biological and anatomical gender at birth.
3. The term "Transgender" describes students who have a Gender Identity that differs from their biological and anatomical gender at birth.

Policy

A student's Gender Identity or Gender Expression is determined by the student and no one else. Thus, the Board will accept as true a student's declaration of his or her Gender Identity and will not question or disregard such an assertion. However, if there is a credible basis for believing that the student is declaring a Gender Identity for any false, fraudulent, or improper purpose, or if there is an indication that the student does not sincerely hold the Gender Identity as a part of his or her identity, then the Board authorizes the Superintendent or his/her designee to discuss the matter with the student and question him or her as to whether the Gender Identity is a sincerely held belief.

If, after discussing the matter with the student, the Superintendent or his/her designee maintains a credible basis for believing that the student is asserting the Gender Identity for a fraudulent or improper purpose, he or she may contact the student's parent(s)/guardian(s) or adult student and request a written statement that the student holds a particular Gender Identity that differs from his or her biological gender at birth. In the event that the parent(s)/guardian(s) refuses to provide such confirmation, the Superintendent or his/her designee will hold a meeting with the parent(s)/guardian(s) and student in order to come to a resolution.

The Board will handle each situation on a case-by-case basis in order to accommodate each student's needs and preferences as to how the student will be addressed in school. The Superintendent or his/her designee will meet with the student and his or her parent(s)/guardian(s) in order to discuss issues such as the following:

- A. Names/Pronouns – The District will honor the student's request to be addressed by a name or pronoun different from the student's name or gender at birth.
- B. Student Records – Unless the student has completed a legal name change, the District will continue to indicate the student's legal name and gender from the student's birth certificate on the student's official, permanent student record. For other school-related documents, such as student identification cards, student photographs, school library cards, or other publicly-displayed lists of student names, the District will refer to the student by the name the student requests.
- C. Restrooms – Transgender students are entitled access to the restroom that conforms to their Gender Identity. Students may be permitted to use a "gender neutral" restroom, if available, if the student prefers; however, the District will, under no circumstances, **require** the student to utilize such a gender neutral restroom.
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- D. Locker Rooms – Transgender students are entitled to utilize the locker room facilities that conform to their Gender Identity. If the student wishes to use neither the men's or women's locker room facilities, the District will provide the student with an alternative changing area; however, the District will, under no circumstances, **require** the student to utilize a separate changing area.
- E. Physical Education Classes – Transgender students may join in the physical education activities that correspond to the gender in which the student identifies.
- F. Intramurals Programs – A transgender student's participation in the District's intramural athletic programs shall be in accordance with the eligibility requirements for participation in interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.
- G. Interscholastic Athletics – A transgender student's participation in the District's interscholastic athletic programs shall be in accordance with eligibility requirements for participation in interscholastic athletics as determined by the New Jersey State Interscholastic Athletic Association.
- H. Dress Codes – Transgender students must comply with the District's dress code requirements for the gender in which they identify.

If a Transgender student no longer identifies with his or her previously held Gender Identity, the student must contact the Superintendent or his/her designee and indicate same. Thereafter, the student will meet with the Superintendent or his/her designee in order to address the transition and confirm the name and pronoun in which the student wishes to be

referenced, the restroom the student wishes to use, the locker room the student wishes to use, etc.

The school district will not disclose or reference a student's transgender status unless the student has authorized the district to do so, in writing or if Federal law, State law, or administrative code requires such disclosure.

N.J.S.A. 10:5-1 et seq.

Title IX, 20 U.S.C. Section 1681

Adopted: August 8, 2016