

Policy 5756 TRANSGENDER STUDENTS

Adopted: October 13, 2015

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board adopts this Policy to ensure all students, including transgender students, have equal educational opportunities and equal access to the school district's educational programs and activities. The Board of Education, administration, and all school staff members will comply with Federal and State laws and regulations regarding transgender students and no student shall be subjected to discrimination on the basis of gender identity or expression.

For the purposes of this Policy:

1. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
2. "Gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.
3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.
4. "Gender nonconforming" describes a student whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.
5. "Transgender" describes students whose gender identity is different from their gender assigned at birth.

The Board of Education believes the responsibility for determining a student's gender identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender identity, or any other evidence that the gender identity is sincerely held as a part of the student's core identity. The Board of Education will not question or disregard the assertion of a student's gender identity. However, the Board authorizes the Superintendent or designee to question a student's asserted gender identity when there is a credible basis for believing the student's gender identity is being asserted for some improper purpose.

Confirmation of a student's asserted gender identity must include a letter from a parent to the Superintendent of Schools indicating the student is gender non-conforming. In the event the parent does not consent to the student's gender identity, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity shall be addressed by the school district.

The Board recognizes school-related issues regarding transgender students will vary on a case-by-case basis. Therefore, the Superintendent of Schools or designee will meet with the parent and student to discuss school-related issues such as the name and pronoun to be used by district staff in referring to the student, the gender identification to be used on the student's records, district staff members that should be informed of the student's access and use of restrooms, locker rooms, changing facilities, physical education classes, intramural programs, interscholastic athletic programs, and other gender issues affecting the transgender student and his/her attendance at school and participation in school programs. The school district will take reasonable measures to accommodate the needs of transgender students in accordance with Federal and State laws and regulations.

In the event a student no longer identifies with a previously asserted gender other than their gender at birth, a parent of the student must submit a letter to the Superintendent of Schools indicating the student is no longer gender nonconforming. The Superintendent or designee will meet with the parent and the student to discuss the transition of the student from gender nonconforming to gender conforming. In the event the parent does not consent to the student's assertion the student is no longer gender nonconforming, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity should be addressed by the school district.

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The school district and school staff members will ensure the privacy of any student's transgender status and will not disclose or acknowledge a student's transgender status unless required to in accordance with any Federal law, State statute, administrative code, or if the parent and student have authorized such disclosure.

N.J.S.A. 10:5-1 et seq.
Title IX, 20 U.S.C. Section 1681