

Model Policy for Creating a Safe and Supportive School Environment For Transgender and Gender Nonconforming Students

Developed by the Empire Justice Center, the Empire State Pride Agenda and the NYCLU, with contributions and support from organizations across the state.¹

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INTRODUCTION

Federal, state and local laws require schools to treat transgender and gender nonconforming (GNC) students equally and fairly. All students need a safe and supportive school environment to progress academically and developmentally. Administrators, faculty, staff and students each play an important part in creating and sustaining that environment. This policy is intended to help school and district administrators take steps to create a culture in which transgender and GNC students feel safe, supported and fully included, and to meet each school's obligation to provide equal educational opportunities for all students in compliance with the law. This guidance recognizes that transgender and GNC students enrolled in our schools face disproportionately high rates of discrimination and harassment.

The purpose of this policy is to foster an educational environment that is safe and free from discrimination for all students – regardless of sex, gender identity or expression – and to facilitate compliance with local, state and federal laws concerning bullying, harassment, discrimination and student privacy.

In order to make this document as helpful as possible, illustrative examples that highlight frequently-asked questions appear in italics throughout. These scenarios, based on real-life examples from students and schools, provide context for how this policy can be followed.

DEFINITIONS

Understanding the terminology associated with gender identity is important to providing a safe and supportive school environment for students whose rights are protected under the law. The following terms appear in this document and are defined to assist in understanding the guidance presented. These are the most commonly used terms, though students may prefer other terms to describe their gender identity, appearance or behavior. Terminology and language describing transgender and GNC individuals can differ based on region, language, race or ethnicity, age, culture and many other factors. School staff and educators should inquire which terms students prefer and avoid terms that make students uncomfortable; a good general guideline is to employ terms the students use to describe themselves.

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

Gender expression: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Gender identity: a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

Gender nonconforming (GNC): a term used to describe people whose gender expression differs from stereotypic expectations. The terms “gender variant” or “gender atypical” are also used.

Sexual orientation: a person's emotional and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the same as gender identity. Not all transgender youth identify as

gay, lesbian or bisexual, and not all gay, lesbian and bisexual youth display gender-nonconforming characteristics.²

Transgender: an adjective used to describe a person whose sex assigned at birth does not correspond to their gender identity.

Transition: the process in which a person goes from living and identifying as one gender to living and identifying as another.

THE LAW

This policy³ provides guidance on how to follow existing laws that protect transgender, GNC and all other students from discrimination, bullying and harassment based on sex, gender identity or gender expression.

Specifically, New York's Dignity for All Students Act (Dignity Act) is designed to prevent bullying, harassment and discrimination in public primary and secondary schools, including on the basis of gender identity.⁴ The Dignity Act includes gender as a protected category and defines gender as "a person's actual or perceived sex and includes a person's gender identity or expression."⁵ The Dignity Act's "Resource and Promising Practices Guide for School Administrators & Faculty" contains a section on creating an inclusive school community and fostering sensitivity to the school experience of LGBTQ students.⁶

UNDERSTANDING THE SCHOOL CLIMATE

Transgender and GNC students are targeted with physical violence and experience a hostile school environment at an even higher rate than their LGB peers, both nationally and in New York.⁷ In one 2011 national survey, 75 percent of transgender students reported having been verbally harassed in the previous year, 32 percent physically harassed, and 17 percent physically assaulted.⁸ These high rates of bullying correspond to adverse health and educational consequences. A different national survey, also conducted in 2011, found that 51 percent of respondents who were harassed or bullied in school reported attempting suicide, compared to less than 2 percent of the general population.⁹ Students also suffered harassment

2 California School Board Association, *Policy Brief: Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*, 1 (2014), available at <http://www.csba.org/~media/E68E-16A652D34EADA2BFDCD9668B1C8F.ashx>.

3 This policy is modeled on Massachusetts Department of Elementary and Secondary Education, *Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment*, (2012), <http://www.doe.mass.edu/ssce/Gender-Identity.pdf> and GLSEN and the National Center for Transgender Equality, *Model District Policy on Transgender and Gender Nonconforming Students*, (2013), http://www.transequality.org/PDFs/Trans_ModelPolicy_2013.pdf.

4 N.Y. Educ. Law §10-18 (2010); 8 NYCRR §100.2(l)(2).

5 N.Y. Educ. Law §11(6).

6 New York State Education Department (NYSED), *The Dignity Act, A Resource and Promising Practices Guide for School Administrators & Faculty, Creating an Inclusive School Community: Sensitivity to the Experience of Specific Student Populations: LGBTQ Children*, Section II (Mar. 11, 2014), available at <http://www.p12.nysed.gov/dignityact/rgsection2.html> (defining LGBTQ as "individuals who self-identify as either lesbian, gay, bisexual, transgender, or questioning").

7 GLSEN (Gay, Lesbian, Straight Education Network), *School Climate in New York (State Snapshot)*, 2 (2013), available at <http://glsen.org/learn/research/local/state-snapshots> (finding the majority of New York K-12 students surveyed reported being verbally harassed based on their gender identity/expression and/or sexual orientation).

8 GLSEN, *2011 National School Climate Survey*, available at <http://glsen.org/sites/default/files/2011%20National%20School%20Climate%20Survey%20Full%20Report.pdf> [hereinafter "National School Climate Survey"].

so severe that it led almost one-sixth (15 percent) to leave a school in K-12 settings or in higher education.¹⁰ Moreover, LGBT students who are bullied and harassed are more likely to miss days of school, feel excluded from the school community, and have lower academic achievement and stunted educational aspirations.¹¹

The Dignity Act and this policy reflect the reality that transgender and GNC students are enrolled in New York public schools. These students, because of widespread misunderstanding and lack of knowledge about their lives, are at a higher risk for peer ostracism, victimization and bullying. Educators play an essential role in advocating for the well-being of students and creating a school culture that supports them.

UNDERSTANDING GENDER IDENTITY

Transgender youth are those whose assigned birth sex does not match their internalized sense of their gender (their “gender-related identity”), and GNC youth are those whose gender-related identity does not meet the stereotypically expected norms associated with their assigned sex at birth. A transgender boy, for example, is a youth who was assigned the sex of female at birth but has a clear and persistent identity as male. A transgender girl is a youth who was assigned the sex of male at birth but has a clear and persistent identity as female. GNC youth range in the ways in which they identify as male, female, some combination of both, or neither.

The responsibility for determining a student’s gender identity rests with the student or, in the case of very young students not yet able to advocate for themselves, with the parent.¹² One’s gender identity is an innate, largely inflexible characteristic of each individual’s personality that is generally established by age four, although the age at which individuals come to understand and express their gender identity may vary based on each person’s social and familial social development. As a result, the person best situated to determine a student’s gender identity is that student.

EXAMPLE:

In one town, the parents of a preschool-age child who was assigned “female” at birth noted throughout the child’s early years that their child identified as a boy. For as long as the parents could remember, the child preferred to play with boys rather than girls, wanted a short haircut, rejected wearing any clothing that the child identified as “something a girl would wear” and ignored anyone who called him by his stereotypically feminine name. When it was time for the child to enter kindergarten, the child said to his parents, “You have to tell them when I go to kindergarten that I’m a boy.”

9 Jaime M. Grant, et al., National Center for Transgender Equality and National Gay and Lesbian Task Force, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, 3, 45 (2011), http://www.thetaskforce.org/downloads/reports/reports/ntds_full.pdf

10 *Id.* at 3.

11 *National School Climate Survey*, *supra* note 7, at xv, 4, 21, 25-26, 40-41, 58, 61, 64-65, 122.

12 When used in this document, the term “parent” refers to parent as well as legal guardian.

A school should accept the gender identity a student asserts. In most situations, determining a student's gender identity is simple. A student who says she is a girl and wishes to be regarded that way throughout the school day should be respected and treated like a girl. The same applies to a student who says he is a boy. Both students should be respected and treated as the gender identity they assert.

Many transgender people experience discrimination and some experience violence due to their status. Some environments may feel safe and inclusive, and others less so, challenging a person's ability to live consistently with one gender identity in all aspects of life. For example, it is possible that a student assigned "male" at birth, with a female gender identity, who lives as a girl, does not express her female gender identity all the time.

EXAMPLE:

In one case, a student agreed to present as a boy when visiting relatives until the student's parents could explain the student's transgender identity to them. The fact that the student did not exclusively assert her female identity did not alter the fact that she had a female gender identity.

Confirmation of a student's asserted gender identity is usually as simple as a statement from the student; it may also include a letter from a parent, health care provider, school staff member familiar with the student (a teacher, guidance counselor or school psychologist, among others), or other family members or friends. A letter from a social worker, doctor, nurse practitioner or other health care provider stating that a student is being provided medical care or treatment relating to her/his/their gender identity is one form of confirmation of an asserted gender identity. It is not, however, the exclusive form upon which the school or student may rely. A letter from a clergy member, coach, family friend or relative stating that the student has asked to be treated consistent with her/his/their asserted gender identity, or photographs at public events or family gatherings are other potential forms of confirmation. These examples are intended to be illustrative rather than comprehensive, and in most cases nothing beyond a statement from the student should be required. Transgender and GNC students form a diverse community, and they may differ in how they present, including differences in factors like their comfort level with being known as transgender or GNC, their transition status, their age and their gender expression.

EXAMPLE:

In one middle school, a student assigned "male" at birth explained to her guidance counselor that she was a transgender girl who expressed her female gender identity only at home. The stress associated with having to hide her female gender identity at school was having a negative impact on her mental health, as well as on her academic performance. The student and her parents asked if it would be okay if she expressed her female gender identity at school. The guidance counselor assured the student and her parents that she could. The fact that the student presented no documentation to support her gender identity was not a concern since the school had no reason to believe the request was based on anything other than a sincerely held belief that she had a female gender identity.

GENDER TRANSITION

Many, though not all, transgender youth undergo the experience of gender transition. The term “gender transition” describes the experience by which a person goes from living and identifying as one gender to living and identifying as another. For most youth, and for all young children, the experience of gender transition involves no medical intervention. Rather, most transgender youth will undergo gender transition through a process commonly referred to as “social transition,” whereby they begin to live and identify as the gender consistent with their gender-related identity. Some transgender youth who are close to reaching puberty, or after commencing puberty, may complement social transition with medical intervention that may include hormone suppressants, cross-gender hormone therapy, and, for a small number of young people, a range of gender-confirming surgeries. The decision about whether and how to undergo gender transition is personal and depends on the unique circumstances of each individual. There is no threshold medical or mental health diagnosis or treatment requirement that any student must meet in order to have his/her/their gender identity recognized and respected by a school.

Some transgender and GNC students have not talked to their families about their gender identity for reasons including safety concerns or a lack of acceptance. School personnel should speak with the student first before discussing a student’s gender nonconformity or transgender status with the student’s parent or guardian. For the same reasons, school personnel should discuss with the student how the school should refer to the student, e.g., appropriate pronoun use when communicating with the student’s parent or guardian.

NAMES AND PRONOUNS

The issue of the name and pronoun to use in referring to a transgender student is one of the first that schools must resolve to create an environment in which that student feels safe and supported. Transgender students often choose to change the name assigned to them at birth to a name that is associated with their gender identity. As with most other issues involved with creating a safe and supportive environment for transgender students, the best course is to engage the student, and in the case of a younger student,

EXAMPLE:

In one situation where a transgender girl was entering high school, she and her parent asked the principal to inform her teachers that even though her school records indicate that her name is John, she goes by the name Jane and uses female pronouns. With permission from Jane, the school principal sent the following memorandum to the student’s classroom teachers: “The student John Smith wishes to be referred to by the name Jane Smith, a name that is consistent with the student’s female gender identity. Please be certain to use the student’s preferred name in all contexts, as well as the feminine pronouns. It is my expectation that students will similarly refer to the student by her chosen name and preferred pronouns. Your role modeling will help make a smooth transition for all concerned. If students do not act accordingly, you may speak to them privately after class to request that they do. Continued, repeated and intentional misuse of names and pronouns may erode the educational environment for Jane. It should not be tolerated and can be grounds for student discipline. If you need any assistance to make sure that Jane Smith experiences a safe, nondiscriminatory classroom atmosphere, please contact me.”

the parent, with respect to name and pronoun use, and agree on a plan to initiate that name and pronoun use within the school. The plan also could include when and how this is communicated to students and their parents. In the case of a transgender student who is enrolling at a new school, it is important that the school respect the student’s privacy (see the following section) and chosen name.

New York law recognizes common law name changes.¹³ An individual may adopt a name that is different from the name that appears on his/her/their birth certificate provided the change of name is done for an honest reason, with no fraudulent intent. Nothing more formal than usage is required. Hence, when requested, schools should accurately record the student’s chosen name on all records, whether or not the student, parent or guardian provides the school with a court order formalizing a name change.

In sum, school personnel should use the student’s chosen name and pronouns appropriate to a student’s gender identity, regardless of the student’s assigned birth sex. For those students who have been attending a school and undergo gender transition while attending the same school, it is important to develop a plan for initiating use of the chosen name and pronouns consistent with the student’s gender identity.

PRIVACY, CONFIDENTIALITY AND STUDENT RECORDS

Under the Constitution, students have a right to keep their transgender status confidential if they so choose.¹⁴ Under the New York Education Law,¹⁵ information about a student’s assigned birth sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, regardless of its form, is part of the individual’s student record, is confidential and must be kept private and secure, except in limited circumstances. The Family Educational Rights and Privacy Act (FERPA) also protects the privacy of education records and requires that personally identifiable information be kept secure and confidential.^{16 17}

When a transgender or GNC student new to a school is using a chosen name, the birth name is considered private information and may be disclosed only with authorization from the student or the student’s parents as provided under the New York Education Law. If the student has previously been known at school or in school records by his or her birth name, the principal should direct school personnel to use the student’s chosen name. Every effort should be made to update student records (for example, attendance records, Individualized Education Programs, etc.) with the student’s chosen name and not circulate records with the student’s birth name. Records with the student’s birth name should be kept in a separate, confidential file.

EXAMPLE:

One school nurse dealt with information in the student’s file by starting a new file with the student’s chosen name, entered previous medical information (for example, immunizations) under the student’s chosen name, and created a separate, confidential folder that contained the student’s past information and birth name.

13 *Application of Halligan*, 361 N.Y.S.2d 458, 460 [4th Dep’t 1974] (“[A]n individual possesses a broad right to assume a new name at common law and in most instances denial of the application will accomplish little except delay the change and add to the confusion of records until a new name is established by usage”).

14 *Powell v. Schriver*, 175 F.3d 107, 111 [2d Cir. 1999] (holding that “the Constitution does indeed protect the right to maintain the confidentiality of one’s transsexualism”).

15 N.Y. Educ. Law § 2-d (Unauthorized Release of Personally Identifiable Information).

16 20 U.S.C. § 1232g; 4 C.F.R. §§ 99.00 et seq.

17 For more information on student privacy, see NYSED’s Parents’ Bill of Rights for Data Privacy and Security at <http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>.

When determining which, if any, staff or students should be informed that a student's gender identity is different from the assigned birth sex, decisions should be made in consultation with the student, or in the case of a young student, the student's parent or guardian. As a general matter, school personnel should not share this information without express permission from the student or the student's parents. The key question is whether and how sharing the information will benefit the student.

EXAMPLE:

In one case, parents of a transgender elementary school student requested that only the school principal and the school nurse be aware that the student was assigned the sex of male at birth. After a discussion with the school principal, the parents agreed that the student's teacher, the school secretary and the district superintendent would also be informed. In this situation, the school principal kept the student's birth certificate in a separate, locked file that only the principal could access, and put a note in the student's other file saying that the principal had viewed the student's birth certificate. In another situation, where a student assigned "male" at birth came to school after April vacation as a girl, the school principal and guidance counselor, in collaboration with the student and her parents, developed a plan for communicating information regarding the student's transition to staff, parents and students. The plan included who was going to say what to whom, and when the communication would take place.

Transgender and GNC students may decide to discuss and express their gender identity openly and may decide when, with whom, and how much to share private information. Whether a student decides to share this information with peers or others does not change the obligation of school personnel to keep that information private and treat it as confidential.

GENDER MARKERS ON STUDENT RECORDS

A gender marker is the designation on school and other records that indicates a student's gender. For all students, records that include an indication of a student's gender should reflect that student's gender identity (for example, "male" or "female" on a permanent record). For most students, gender identity and assigned sex at birth will align. For transgender students, however, a documented gender marker may not reflect their assigned sex at birth. This means that if a transgender student whose gender identity is male has a school record that reflects an assigned sex at birth of female, then upon request by the student or, in the case of young students not yet able to advocate for themselves, by the parent or guardian, the school should change the gender marker on the record to male. Schools are advised to collect or maintain information about students' gender only when necessary. This also applies to the use of gender markers on documents generated from the school's student information system (i.e. class schedules, report cards, school pictures) and schools are advised to remove that information wherever possible.

In addition, transgender students who transition after having completed high school may ask their previous schools to amend school records or a diploma or transcript that include the student's birth name and gender. When requested, and when satisfied with the gender identity information provided, schools should amend the student's record, including reissuing a high school diploma or transcript, to reflect the student's current name and gender.

EXAMPLE:

One school reviewed the documentation requests it sent out to families and noticed that field trip permission forms included a line to fill in indicating the student's gender. Upon consideration, the school determined that the requested information was irrelevant to the field trip activities and deleted the line with the gender marker request.

RESTROOMS, LOCKER ROOMS, AND CHANGING FACILITIES

All students are entitled to have access to restrooms, locker rooms and changing facilities that are sanitary, safe and adequate, so they can comfortably and fully engage in their school program and activities. In meeting with the transgender or GNC student (and parent) to discuss the issues set forth in this policy, it is essential that the principal and student address the student's access to the restrooms, locker room and changing facility. Each situation needs to be reviewed and addressed based on the particular circumstances of the student and the school facilities. In all cases, the principal should be clear with the student (and parent) that the student may access the restroom, locker room and changing facility that corresponds to the student's gender identity. While some transgender or GNC students will want that arrangement, others will not be comfortable with it. Transgender or GNC students who are uncomfortable using a sex-segregated restroom should be provided with the least stigmatizing, safe and adequate alternative, such as a single "unisex" restroom or the nurse's restroom. Similarly, some transgender or GNC students may not be comfortable undressing in the changing facilities that correspond to the student's gender identity. Schools should provide private changing spaces to all students, regardless of gender identity, who desire additional privacy. These alternative accommodations should be made available to all students who request additional privacy, regardless of gender identity, but never forced upon them. The following are examples of ways in which school officials have responded to these situations:

EXAMPLES:

In one elementary school, a transgender second-grader socially transitioned from female to male. After consultation with the student's family and in accordance with the student's wishes, the principal informed the staff: In order to foster an inclusive and supportive learning environment, the student will begin using male restrooms, in accordance with the student's male gender identity and expression.

In one middle school, a sixth-grader socially transitioned from male to female over the summer. Beginning in seventh grade, she used the girls' restrooms and locker rooms.

In one high school, a transgender female student was given access to the female changing facility, but the student was uncomfortable using the female changing facility with other female students because there were no private changing areas within the facility. The principal examined the changing facility and determined that curtains could easily be put up along one set of lockers, providing private changing areas for any students who wished to use them. After the school put up the curtains, the student was comfortable using the changing facility.

Some students may feel uncomfortable with a transgender or GNC student using the same sex-segregated restroom, locker room or changing facility. This discomfort is not a reason to deny access to the transgender student. School administrators and counseling staff should work with students to address the discomfort and to foster understanding of gender identity in order to create a school culture that respects and values all students.

It is strongly recommended that districts include an appropriate number of gender-neutral restrooms commensurate with the size of the school, and at least one gender-neutral changing facility, into the design of new schools and school renovations, in order to accommodate any student, regardless of their gender identity, who desires increased privacy.

School staff as well as students and their families may find the use of restrooms and changing facilities to be among the more challenging issues presented by this policy, perhaps due to issues of personal privacy. As emphasized in other sections of this policy, these issues should be resolved through dialogue with students and parents and through leadership in creating safe and supportive learning environments.

PHYSICAL EDUCATION CLASSES AND INTRAMURAL AND INTERSCHOLASTIC ATHLETIC ACTIVITIES

Physical education and school-based athletics are an important part of many students' lives. Most physical education classes in New York's schools are coed, so the gender identity of students should not be an issue with respect to these classes. Where there are sex-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity. With respect to interscholastic athletics, the New York Interscholastic Athletic Association should rely on the gender determination made by the student's district; it will not make separate gender identity determinations.

OTHER GENDER-BASED ACTIVITIES, RULES, POLICIES AND PRACTICES

As a general matter, schools should evaluate all gender-based policies, rules and practices and maintain only those that have a clear and sound pedagogical purpose. Gender-based policies, rules and practices can have the effect of marginalizing, stigmatizing and excluding students, whether they are transgender or GNC or not. In some circumstances, these policies, rules and practices may violate federal and state law. For these reasons, schools should consider alternatives to them.

Whenever students are separated by gender in school activities or are subject to an 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.

The Dignity Act provides a good opportunity for schools to review their gender-distinct policies. For example, some schools require students to wear gender-based garb for graduation or have gender-based dress codes for prom, special events and daily attire. Schools should eliminate gendered policies and practices such as these, or open up options that were previously gender-based to all students.

EXAMPLE:

One school that previously had blue graduation gowns for boys and white ones for girls switched to blue gowns for all graduates. The school also changed its gender-based dress code for the National Honor Society ceremony, which had required girls to wear dresses.

Similarly, some classroom teachers may routinely include gender-based practices in the classroom. For example, some teachers may have boys and girls line up separately to leave the classroom to go to lunch, the gymnasium, restrooms or recess, and they may never have considered the educational value of non-gendered alternatives, such as having students line up in the order of their birthdays, alphabetically by name or in the order in which they are sitting.¹⁸

EDUCATION AND TRAINING

In order to further a safe and supportive school environment for all students, schools should incorporate education and training about transgender and GNC students into their anti-bullying curriculum, student leadership trainings and staff professional development.

As with other efforts to promote a positive school culture, it is important that student leaders and all school personnel, particularly school administrators, become familiar with the gender identity law, regulations, guidance and related resources, and that they communicate and model respect for the gender identity of all students.

The Dignity Act requires at least one staff member at every school be designated and trained as a Dignity Act Coordinator to handle issues that arise in areas including, but not limited to, gender identity and expression. In addition to trainings provided specifically for Dignity Act Coordinators, professional development for school staff could include topics on gender identity and gender nonconformity;¹⁹ key terms related to gender identity and expression; the development of gender identity; the experiences of transgender and GNC students; risk and resilience data regarding transgender and GNC students; ways to support transgender students and to improve the school climate for GNC students; gender-neutral language and practices and this guidance.

18 Human Rights Campaign Foundation: Welcoming Schools, *Gender and Children: A Place to Begin for Educators*, (2013), available at <http://hrc-assets.s3-website-us-east-1.amazonaws.com/welcoming-schools/documents/Welcoming-Schools-Gender-Children-Place-to-Begin1.pdf>.

19 Examples include *DASA Training in Harassment, Bullying, Cyberbullying and Discrimination in Schools: Prevention and Intervention* (<http://www.p12.nysed.gov/dignityact/dasatraining.html>) and *DASA Harassment and Bullying Prevention and Intervention Guidance for Local Implementation* (<http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf>).

COMMUNICATION WITH SCHOOL COMMUNITY AND FAMILIES

Superintendents and principals need to review existing policies, handbooks and other written materials to ensure that they are updated to reflect the Dignity Act's and Title IX's prohibition on sex, gender and gender identity discrimination and may wish to inform all members of the school community, including school personnel, students and families, of the recent change to state law and its implications for school policy and practice. This could take the form of a letter that states the school's commitment to being a supportive, inclusive environment for all students, as well as the school's legal obligation to provide equal educational opportunities for all students. Such a letter might include the definitions provided at the beginning of this document and some basic information about transgender and GNC youth; a link to the school's anti-bullying and anti-harassment policies; information about the Dignity Act and the school's Dignity Act Coordinator; a link to this guidance; and other resources, including individuals to contact with additional questions.

EXAMPLE:

A letter from one principal explained:

"All people have a gender identity. For most people, their gender identity matches their assigned sex at birth. For transgender people, that is not the case. Transgender girls are individuals who were assigned the male sex at birth but whose lived experience of who they are is female. Transgender boys are individuals who were assigned the female sex at birth but whose lived experience of who they are is male. As a school community, we want to provide a safe environment and support all of our students so they can achieve academically. That means making sure that our school's policies and practices are inclusive and respectful of all students, including transgender students. Toward that end, we have ... [describe steps taken to follow the law]."

CONCLUSION

This guidance cannot anticipate every situation in which questions may come, and the specific needs of each transgender or GNC student should be assessed and addressed on a case-by-case basis.