

7:10-AP-1 Gender Support Administrative Procedure

All students are valued members of our school community and should feel that the learning environment is safe and accepting. These guidelines are the Harlem School District 122 (District 122) protocol for addressing the needs and concerns of transgender and gender non-conforming students to ensure a safe, affirming, and healthy school environment where every student can learn.

Definitions

Gender Identity refers to an individual's intrinsic sense of self and their sense of being female, male, a combination of both, or neither regardless of their sex assigned at birth. Gender Expression is the way an individual expresses their gender identity (e.g. in the way they dress, the length and style of their hair, the way they act or speak, the volume of their voice, and in their choice of whether or not to wear make-up.) Understandings of gender expression are culturally specific and will change over time. A person's Sex Assigned at Birth is often based solely on external genitalia but sex also includes internal reproductive structures, chromosomes, hormone levels, and secondary sex characteristics. Transgender refers to individuals whose gender identity is different from what was assumed based on their sex assigned at birth, and/or whose gender expression is different from the way males or females are stereotypically expected to look or behave. This is an umbrella term for a variety of gender identities and expressions that an individual may self-identify with. Transition: a way to describe the process(es) an individual may go through in order to change their gender expression and identity documents to match their internal gender identity. Transitions can be social, emotional, legal, and/or medical and are different for every individual. In children, adolescents, and adults, it is increasingly common for gender transition to be fluid. Cisgender is a term used to describe people whose gender identity corresponds with their assigned sex at birth. This is typically the sex reflected on one's original birth certificate. Gender Non-Conforming is a term that refers to individuals who do not follow other people's ideas or stereotypes about how they should look or act based on the female or male sex they were assigned at birth. Some people also identify as Agender, Gender Variant, Gender Expansive, Non-Binary, or Gender Creative and may use pronouns outside of the binary "he" and "she" including "they/them" pronouns or may prefer to use their name instead of gender pronouns. Intersex is a general term used for a variety of conditions in which a person is born with sex characteristics that don't fit the typical definitions of male and female. Sexual Orientation is 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 young people identify as gay, lesbian, bisexual, or queer and not all gay, lesbian, bisexual, and queer youth display gender-nonconforming characteristics.

Gender Support Team & Support Planning

District 122 has a district-wide Gender Support Team that supports any student in gender transition. The Team's role is to support each student in transition by respecting the student's self-determination and to develop a clear written Gender Support Plan for the student's academic, social, and emotional success. At each Building Principal's designation, this team will consist of at least one staff member from each school in the District, at least two representatives from the student support staff and a peer support, if requested. All members of the gender support team will be annually trained in the social, mental, and emotional support of transgender and gender non-conforming children and adolescents and the content of the training will be evidence-based.

Any student or a student's parent(s)/guardian(s) can request to meet with the Gender Support Team through the District's website or by asking a school staff member to be referred to the Team. After a request, the Gender Support Team will meet within ten (10) business days to develop or revise a Gender Support Plan using the District's Gender Support Plan Form. The Team should meet sooner in the case of exigent circumstances. The student requesting gender support should be present at their Gender Support Team meetings when 12 years old or older and at the direct request of a student under 12 years old or at

the direct request of that student's parent(s)/guardian(s). The student and/or a student's parent(s)/guardian(s) may invite additional support people to the Gender Support Team meetings such as a friend, outside social worker, clergy member, etc. Students 12 years old or older can elect whether to invite their parent(s)/guardian(s) to Gender Support Team meetings. A student can also request to informally meet with a member of the gender support team at any time and at any age.

A student's Gender Support Plan addresses the expressed wishes of that student and/or the student's parent(s)/guardian(s) including access to restrooms and other gender-segregated facilities, accommodations for affirming the students preferred name and gender identity, disclosure of the student's gender identity to teachers, confidentiality of gender transition in student records and information systems, staff training, and other supports as necessary. The Gender Support Team will prioritize a student's expressed needs for safety. In the event that disclosure to the student's parent(s)/guardian(s) is deemed necessary by the School Principal and/or District Superintendent, the Gender Support Plan will indicate a clear outline for such disclosure that prioritizes the emotional health and educational success of the student. The plan will be reviewed annually, but may be updated as necessary. At the student (age 12 and over) or parent(s)/guardian(s) request, the Gender Support Plan will be included in the student's Temporary Record which shall only be accessible to staff as designated in the plan, or as otherwise required by law. If requested, when transfer or graduation occurs, the Gender Support Plan shall document the decision for the Gender Support Team's role in communicating with the new school about gender-specific accommodations.

Confidentiality

All students have a right to privacy. To ensure the safety and well-being of the student, school personnel should not disclose a student's transgender status to other students or parents of other students unless such disclosure has been authorized in the student's Gender Support Plan. If such disclosure is necessary, it should be documented in the Gender Support Plan and discussed with the student in advance. School staff should only discuss a student's transgender status with one another if it is necessary in order to support the student's social, emotional, and academic success. When contacting the parents or guardian of a student who is transgender, school personnel should use the student's legal name and pronoun assigned at birth unless otherwise specified in the student's Gender Support Plan. However, all students under 18 years old should be aware that their parent(s)/guardian(s) and some third parties have the right to review their student records under Board Policy 7:340.

Names & Pronouns

Students have the right to be addressed by a name and pronoun that corresponds to their gender identity. If requested by the parent(s)/guardian(s) and/or student, the Gender Support Plan will include a method for the requested name to be included in the District's electronic database in order to inform teachers (including substitute teachers) of the name to use when addressing the student. The Gender Support Plan should also include a method for a student to change their name in student technology logins, email systems, student identification cards, documents such as diplomas and awards, and at events such as graduation. At any time, a student 18 years old or older or parent(s)/guardian(s) can complete a District 122 School Roster Information Change Request Form to change the student's name and/or gender marker in the Student Information Management System. Students are not required to obtain a court ordered name change and/or submit medical or psychological documentation as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity or to having their preferred name and/or gender identity included in the student database. An intentional and persistent refusal by school staff to respect a student's gender identity is a violation of Board Policies 7:10 and 7:20.

Gendered Facilities & School-Sponsored Programs

The Gender Support Plan will include a clear plan for supporting the student's access to gendered facilities and school-sponsored programs that are consistent with the student's gender identity. This may

include, but is not limited to, access to multi-stalled gendered restrooms, locker rooms, fine and performing arts programs, and other programs. As a member of the Illinois High School Association (IHSA), Harlem High School will follow the IHSA Policy and School Recommendations for Transgender Participation available online at <http://ihsa.org/>. Schools must allow students to use gendered facilities and have access to school-sponsored programs that are consistent with their Gender Support Plans. Regardless of gender identity, any student who has a need or desire for increased privacy should be provided access to an alternative gender neutral facility. However, no student will be required to use a gender neutral facility because they are transgender or gender non-conforming. In an effort to make sure restrooms are accessible for all students, each District building will have at least one gender neutral bathroom open to all students.

Dress Codes

All students will be permitted to wear gender-affirming clothing to school including at school-sponsored functions such as dances and graduation. A student whose gender expression is different from expectations based on the student's sex assigned at birth will not be considered disruptive of the educational process or in interference with the maintenance of a positive teaching/learning climate.

Curriculum & Pedagogy

All District 122 teachers, administrators, staff, and support staff shall use a gender-affirming approach. A gender-affirming approach is a framework used to create an environment in which transgender and gender non-conforming youth are able to live as the gendered person they identify themselves to be, and achieve healthy development and social, emotional, and academic success. This approach includes affirming students' gender identities and being flexible during gender transition processes. School libraries and curricula shall include accurate information on gender diversity as well as gender-affirming children's books, young adult fiction, non-fiction, and multi-media. A teacher should never use an individual student's gender transition or personal gender history as the subject of a class lesson unless specifically directed in the student's Gender Support Plan.

As a general matter, school administrators should evaluate all practices that divide students on the basis of gender and maintain only those that have a clear and sound pedagogical purpose. Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific practice, students should be permitted to participate in such activities consistent with their gender identity and a clear strategy to support the student should be documented in advance of the activity in the student's Gender Support Plan. All District 122 staff should be trained annually on these guidelines and on gender-affirming approaches to education.

Discrimination & Harassment

No student will be denied equal access to education on the basis of their gender identity. Harlem School District 122 does not tolerate transphobic, sexist or homophobic slurs, derogatory comments, innuendoes, or any other related action. Violations of these guidelines will be handled in a manner consistent with Board Policies 7:20 and 7:180.

Accessibility

These guidelines will be on the Harlem District 122 website and searchable under the words "gender" and "transgender" and referenced in Student Handbooks. The Harlem School District 122 website will also provide information about gender transition, related supportive resources for students in transition, and contact information for the Gender Support Team. Administrative staff who may receive phone calls or in-person questions about these guidelines should have a current list of members of the Gender Support Team members in each school in the District and should refer all questions to those individuals.

Board Policy and Legal Authority

These guidelines are supported by Board Policies 7:10 “Equal Educational Opportunities,” 7:20 “Harassment of Students Prohibited,” 7:160 “Student Appearance,” 7:180 “Preventing Bullying, Intimidation, and Harassment,” and 7:340 “Student Records.” These guidelines are also supported by 20 U.S.C. §1681(a), Title IX of the Education Amendments of 1972, the Illinois Human Rights Act 775 ILCS 5/5-101 et seq., the Illinois Prevent School Violence Act 105 ILCS 5/27-23.7, and the Youth Mental Health Protection Act Illinois Public Act 99-0411.

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