

GUIDELINES REGARDING THE SUPPORT OF TRANSGENDER AND GENDER NONCONFORMING STUDENTS

PURPOSE

These Guidelines set out protocols for schools to address the needs and concerns of transgender, non-binary and gender nonconforming students. These Guidelines cannot anticipate every situation that might occur with respect to students who are transgender, non-binary or gender nonconforming. Consequently, the needs of each student must be assessed on a case-by-case basis. These Guidelines take a gender-affirming approach. The goal is to create an environment in which all students are able to identify and express their gender and achieve healthy development including social, emotional, and academic success. This approach includes schools affirming students' gender identities and being flexible during gender transition processes.

These Guidelines are supported by the following policies: Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy, Anti-Bullying Policy, Student Code of Conduct, and Sexual Health Education Policy. As these Guidelines are supported by the above CPS policies, it is the expectation that all CPS schools adhere to the Guidelines set forth in this document.

DEFINITIONS

The definitions provided here are not intended to label students but rather to assist in understanding these Guidelines and the legal obligations of Chicago Board of Education staff and students. Students might or might not use these terms to describe themselves.

Sex Assigned at Birth: A label a person is given at birth, often based on a medical professional's interpretation of the newborn's physical characteristics. Common examples may be "male," "female," or "intersex." This is typically the sex reflected on one's original birth certificate.

Gender Identity: The deeply held sense that individuals have of their gender, regardless of the sex they were assigned at birth. Everyone has a gender identity. Common examples may include "male/man/boy," "female/woman/girl," "non-binary," "agender," "trans/transgender," "gender expansive," "gender nonconforming," any combination of these terms or something else.

Gender Expression: An individual's characteristics and behaviors such as appearance, dress, mannerisms, speech patterns, and social interactions that are perceived as masculine or feminine.

Transgender: A term used to describe people whose gender identity is different from the sex they were assigned at birth. This is an umbrella term for a variety of gender identities.

Non-binary: A term used to describe people whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Gender Nonconforming (also known as Gender Expansive, Gender Variant, or Gender Creative): A term that refers to individuals whose gender expression does not follow traditional or societal expectations or stereotypes based on their sex assigned at birth. Keep in mind that these expectations can vary across cultures and have changed over time.

Intersex: A general term for a person born with sex characteristics that do not fit the typical definitions of either male or female. People who are intersex are usually assigned male or female sexes at birth. Some, but by no means all, students who are intersex may identify their gender or express their gender in ways that are captured by these Guidelines' definitions of Transgender or Gender Nonconforming.

Questioning: Being unsure of and/or exploring your gender identity, your sexual orientation, or both. Many people go through stages of questioning as they learn new words that fit them better or as their feelings change over time.

Gender Pronouns: The set of pronouns that an individual would like others to use when referring to that individual. Common examples include, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs." Transgender, non-binary and gender nonconforming students may wish to use a different set of gender pronouns than the pronouns associated with their sex assigned at birth. These are sometimes called "affirmed gender pronouns" or "preferred gender pronouns." Staff should always use the gender pronouns which affirm a student's gender identity.

Transition: The process for individuals to begin living as their affirmed gender identity. Transitioning may be social (changing gender expression, accessing facilities, using a different name/pronouns), medical (hormones and/or surgeries), and/or legal (changing name/gender marker on identity documents). Transitions are different for every individual and it is increasingly common for gender transition to be fluid, meaning that gender expression may vary from day to day.

Student Administrative Support Team: A group that receives information on a confidential

need-to-know basis and is convened to coordinate the appropriate supports for transgender and gender nonconforming students. The team should consist of the school principal or Support Coordinator, the student, individuals the student identifies as trusted adults, and individuals the principal and student determine may have a legitimate interest in the safety and healthy development of the student. The members may include, but are not limited to, the parent/guardian, school counselor, school social worker, assistant principal, a teacher, and/or school nurse. If the student requests a support plan and one is created in collaboration with the team and the student, the support plan shall be kept in the student's confidential health folder and may be shared only with staff members who have a legitimate health, safety, or educational interest in the information. It is not required for parents to participate on a Student Administrative Support Team.

Support Coordinator: An individual, appointed by the principal or principal's designee, on the Student Administrative Support Team. The Support Coordinator is responsible for convening Student Administrative Support Team meetings. If a plan is requested by the student or the student's parent(s)/guardian(s), the Support Coordinator is responsible for development of and/or revisions to the student's Gender Support Plan.

GUIDANCE

All students need a safe and supportive school environment to progress academically and developmentally. CPS administrators, faculty, staff, and students all play an important part in creating and sustaining a supportive environment. In order to better support transgender, non-binary gender nonconforming, and intersex students, school principals and their designees shall ensure that these Guidelines are implemented at the school level.

Neither a Student Administrative Support Team nor a Gender Support Plan is required in order for a student to receive supports at school. If a student and/or a student's parent(s)/guardian(s) does not desire a Student Administrative Support Team or Gender Support Plan, the Support Coordinator will work with the student and/or student's parent(s)/guardian(s) (if they are involved) to coordinate gender-affirming supports without the aforementioned tools.

The Principal shall designate at least one Support Coordinator who shall coordinate supports for students. Support Coordinators shall hold a meeting with a student and/or student's parent(s)/guardian(s) within ten (10) school days of a request by the student and/or the student's parent(s)/guardian(s). Support Coordinators will ascertain the student's and/or student's parent(s)/guardian(s) wishes and concerns and discuss the formation of a Student Administrative Support Team and/or Gender Support Plan.

At all times, the Support Coordinator and the Student Administrative Support Team shall respect the self-determination of the student. Gender Support Plans shall address the expressed wishes of the student regarding accommodations for affirming the name and pronouns that correspond to the student's gender identity, disclosure of the student's gender identity to teachers and other relevant staff, use of restrooms and locker rooms, confidentiality of gender transition in student records and information systems, and other supports as necessary. The CPS Gender Support Plan can be found in the *Supporting Gender Diversity Toolkit* on Office of Student Health and Wellness Knowledge Center page.

Discrimination/ Harassment

It is the goal of the Chicago Board of Education to create a learning environment in all CPS communities where students are protected from bullying, discrimination, and harassment. Therefore, it is the responsibility of each employee to ensure that students who are transgender, non-binary and gender nonconforming, as well as their siblings and family members, have a safe and welcoming school environment. This includes ensuring that any incident of discrimination, harassment, or violence is handled in accordance with the Anti-Bullying Policy (13-0724-PO2), Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy (12-0425-PO1) and Student Code of Conduct (15-0722-PO1).

Privacy

All students have a right to privacy. This includes the right to keep their transgender or non-binary identity or gender nonconforming presentation private at school. Information about a student's transgender identity, legal name, or sex assigned at birth may also constitute confidential medical and student record information. Disclosing this information may violate state and federal privacy laws.

Transgender, non-binary and gender nonconforming students have the right to openly discuss and express their gender identity and expression at school and school activities and to decide when, with whom, and how to share private information. School staff shall not disclose information that may reveal a student's transgender or non-binary identity or gender nonconforming presentation to others without the student's consent or unless authorized by the Law Department.

Names/ Pronouns

Students have the right to be addressed by a name and pronouns that correspond to the gender identity they consistently assert at school. 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 pronouns that correspond to their gender identity.

Parent(s)/guardian(s) consent is not required to address a student by their affirmed name and pronouns. School staff shall comply with the Student Administrative Support Team's recommendations in communicating with parents. Please see the Supporting Gender Diversity Toolkit (available on the Knowledge Center) for more information on how to changes names in student information systems.

The intentional or persistent refusal by students or school staff to respect a student's gender identity (for example, intentionally referring to the student by a name and/or gender pronouns that does not correspond to the student's gender identity) is a violation of these Guidelines, the Student Code of Conduct, and Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy. Such violations will result in appropriate consequences for offending staff and students.

Official Records

The District maintains a permanent student record which includes the legal name of the student, as well as the student's legal gender marker. The District shall change a student's official records to reflect a change in legal name or legal gender marker upon receipt of documentation that such legal name and/or gender marker have been changed pursuant to Illinois legal requirements.

Students may change their name and gender marker in the district's electronic database so that it corresponds to their gender identity. Students are not required to obtain a court ordered name change and/or submit medical or psychological documentation to affect these changes.

A student's request to change their name and/or gender marker in the district's electronic database shall be completed within fifteen (15) school days of the principal's receipt of the request. Schools shall also provide a method for a student to change their name and/or gender marker anywhere that it may appear publicly including (but not limited to) school website, technology resources, student identification cards, yearbooks, diplomas, and awards, and at events such as graduation.

Restroom and Locker Room Accessibility

Students must be allowed to use facilities in a manner that makes them feel safest and most included in the school. All students are allowed to use restrooms and locker rooms that correspond with their gender identity. An alternative request may be made by the student for

privacy, safety, or other reasons. Supports and accommodations must also be provided to non-binary students and students questioning their gender identity. These accommodations should be assessed on a case- by-case basis to ensure that these students feel supported, safe, and affirmed. Schools shall make the requested restrooms and locker rooms available immediately upon consultation with the student.

Any student who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, a separate changing schedule, or use of a single-stall restroom, if available. Any alternative arrangement shall be provided in a way that protects the student's privacy and is consistent with the student's support plan. No student will be forced to use a private facility because of their transgender identity, non-binary identity, or gender expression.

Physical Education, Sexual Health Education, Sports, Clubs, and School Events

Transgender, non-binary and gender nonconforming students shall be provided the same opportunities to participate in physical education as all other students. CPS staff should avoid gender segregation when possible (e.g. lining up by boy and girl, physical education, sexual health education, etc.) When gender segregation does occur (gender-segregated recreational, physical education class activities, clubs, school events, intramural and non-competitive sports) transgender and gender nonconforming students are allowed to participate in accordance with their gender identity, or in a manner that makes them feel safe and included. Participation in competitive IHSA and IESA athletic activities and contact sports will be resolved in accordance with the Illinois High School Association and Illinois Elementary School Association rules, which are available on their respective websites.

Dress Codes

Transgender, non-binary and gender nonconforming students have the right to dress in a manner consistent with their gender identity or expression within the constraints of the dress codes adopted for all students at their schools. In general, schools shall not adopt dress codes that restrict students' clothing or appearance on the basis of gender. Gender neutral dress code applies to regular school days as well as any special events including graduation ceremonies and prom. School staff shall not enforce a school's dress code more strictly against transgender, non-binary and gender nonconforming students than other students.

Overnight School Trips

In no case shall a transgender, non-binary or gender nonconforming student be denied the right to participate in an overnight field trip because of the student's transgender or non-binary identity or gender nonconforming presentation. Students shall be permitted to participate in accordance with their gender identity or in a manner that makes them feel safe, affirmed, and included. Accommodations shall be provided to non-binary students and students questioning their gender identity, regardless of whether the student is consistently asserting at school. The specific accommodations should be assessed on a case-by-case basis and in a manner consistent with the student's support plan (if a student support plan exists) and that allows the student to feel safe, affirmed, and included.

The principal or Support Coordinator shall work with the student and the Student Administrative Support Team (if one exists), to determine the accommodations that will be provided, including hotel and room-sharing arrangements, based on the particular circumstances of the trip. Accommodations for overnight school trips shall be made clear to the student prior to their departure for the trip and shall remain confidential.

Resources

For additional support in implementing these Guidelines, please refer to the Supporting Gender Diversity Toolkit, available on the [Knowledge Center](#). For questions about these Guidelines, please contact the Office of Student Health and Wellness at oshw@cps.edu, (773) 553-3560. If a student or parent requests additional resources, the school may refer them to:

Illinois Safe Schools Alliance: (312) 533-2624, www.ilsafeschools.org

Lurie Children's Hospital: (312) 227-7721, Jleininger@luriechildrens.org

Concerns or Inquiries regarding Title VII, IX, or the ADEA and related regulations concerning discrimination, harassment or retaliation on the basis of race, color, gender identity/expression, age, national origin or sexual orientation should be made to:

Office of Student Protections and Title
IX 773-535-4400

Concerns or inquiries regarding sports equity should be addressed to:

Title IX Sports Compliance Coordinator (773) 553- 2533 42 W. Madison, 3rd Floor