

Gender Non-Conforming and Transgender Students

All students are entitled to participate in school programs in a safe, supportive, and non-discriminatory school environment. The purpose of this policy is to ensure that transgender and gender non-conforming students are recipients of these critical tenets of an effective school environment. This policy is adopted to comply with regulations of the Commissioner (200-RICR-30-10-1).

Definitions:

Gender Non-Conforming: This term describes a person whose gender expression differs from stereotypic expectations. This includes individuals who identify outside traditional gender categories or identify as both genders. Other terms that can have similar meanings include “gender variant”, “gender expansive”, or “gender atypical”.

Transgender: This term describes a person whose gender identity or gender expression is different from that traditionally associated with their assigned sex at birth.

Coordination of School Accommodations:

The school and staff shall accept a student’s statement of their gender identity when the assertion is consistent and uniform. It is important to note that there may be times when a student may not consistently and uniformly assert their gender identity because of fear or the threat of discrimination or violence.

When there is a request for accommodations from a gender non-conforming or transgender student or their parent(s)/guardian(s) if the student is under the age of eighteen, the principal shall convene a team, which shall include the student, parent(s)/guardian(s) if the student is under the age of eighteen, a school-based mental health professional and other qualified staff or individuals selected by the principal or student. In those rare incidents where inclusion of the parent/guardian may carry a risk for the student, the principal may seek the Superintendent’s authorization to exclude the parent/guardian from this team.

The team shall issue a set of signed and dated written accommodations, with a date definite for review, which address one or more of the following areas. Nothing herein prohibits the team, with the Superintendent’s permission, from addressing matters other than those listed below to promote the goal of establishing a safe, supportive and non-discriminatory school environment for all students.

1. Use of Name and Gender in School and on School Records – The student’s official record shall reflect a change in legal name or gender when there is documentation that such a change has been made pursuant to a court order or through amendment of state or federally issued identification documents. The team may decide that the school may use the name and gender preferred by the student on other school documents and records. The team may also decide that the student may be addressed by the name and gender pronoun preferred by the student.
2. Confidentiality and Privacy – Under the Family Education Rights Privacy Act (FERPA), only those school personnel with a legitimate educational need may have access to a student’s records or the information contained within those records. In situations where school personnel are required to use or to report a student’s legal name or gender (e.g., standardized testing), the team may adopt practices to avoid the inadvertent disclosure of such confidential information. The team may develop a plan to address the confidentiality of the student’s transgender or gender non-conforming status that works for both the student and the school.

3. Discipline and Exclusion – Transgender and gender non-conforming students may not be disciplined or excluded from school activities for appearing or behaving in a manner that is consistent with their gender identity or that does not conform to stereotypical notions of masculinity and femininity. The team may not adjust the Standards for Student Behavior.
4. Dress Code – The Standards for Student Behavior include a dress code, which must be followed. The team may not adjust the dress code component of the Standards, but may reinforce, if necessary, that the dress code must be enforced in an equitable manner for all students.
5. School Facilities – All students are entitled to have access to restrooms and locker rooms so that they can comfortably and fully engage in their school programs and activities. As such, all students will have access to both private restroom and changing areas (where available) and sex-segregated group restrooms and changing areas (where available). The team shall consider all ramifications of allowing access to restrooms and locker rooms, with the understanding that transgender and gender non-conforming students may be allowed to use facilities aligned to their gender identity.
6. Participation in School Programs – The team shall make accommodations regarding participation in school programs with the understanding that transgender and gender non-conforming students may be allowed to participate in school programs and events in a manner consistent with their gender identity. The only exception to the above is in regards to participation in interscholastic sports, where the policy of the RI Interscholastic League shall prevail. The team may make accommodations to protect the privacy of students.
7. School Resources – The team shall make available to all parties all of the resources available to all students, including but not limited to mental health services, medical services, academic support, educational materials, safety plans, etc.
8. Education and Training – To further the goals of this policy, developmentally-appropriate education and training regarding transgender and gender non-conforming students shall be delivered through one or more components of the health curriculum, leadership training, staff professional development, and other similar natural opportunities.

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