

Caroline County Public Schools
Student Services Division

Transgender Students:
Guidelines for Support

September 10, 2021

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These guidelines are fluid and may be subject to change based on need, additional information, or changes in laws pertinent to the rights of transgender youth.

Caroline County Public Schools strives to create and sustain an inclusive, supportive, safe, and nondiscriminatory community for all students. CCPS provides all students a safe and welcoming school environment where students are engaged in learning and are active participants in the school community because they feel accepted and valued. CCPS promotes kindness, dignity, and respect for all students and staff.

It is important that all staff members and students recognize and respect matters of gender identity including students who identify as transgender or gender nonconforming, and such students should feel comfortable expressing their gender identity. This document provides guidelines to students, parents, and school staff on the rights, responsibilities, and best educational practices to support transgender and gender nonconforming students in Caroline County Public Schools. These guidelines should be interpreted consistent with the goal of fostering learning environments that honor, respect, and accept the diversity of the student body. The intent is to ensure that transgender and gender nonconforming students are not stigmatized, to maintain the privacy of students, and to foster cultural competence and professional development for school staff. These guidelines are applicable to students in grades PK through grade twelve, and will support healthy communication between educators, students, and parents/guardians to further the successful educational development and well-being of every student.

These guidelines cover conduct that takes place:

- In school
- On school property, school buses, or vehicles
- At school sponsored functions, activities, and bus stops
- Outside of school, if it may substantially disrupt the school environment

These guidelines also pertain to usage of electronic technology and electronic communication that occurs in the school, on school property, at school sponsored functions and activities, on school buses or vehicles, at bus stops, and on school computers, networks, forums, and mailing lists. They apply to the entire school community, including educators, school staff, students, parents, and volunteers.

School staff will work with students and their parent/guardians to develop an appropriate plan to accommodate and support specific needs.

I. Definitions

- A. Agender – Without gender (non-gendered, genderless).
- B. Cisgender – A person whose gender identity and gender expression align with the person’s sex assigned at birth; a person who is not transgender or gender nonconforming
- C. Gender Expression – The manner in which a person represents or expresses their gender to others, often through behavior, clothing, hairstyle, activities, voice, or mannerisms.
- D. Gender Identity – A person’s deeply held sense or psychological knowledge of their own gender. One’s gender identity can be the same or different than the sex assigned at birth. Most people have a gender identity that matches their sex assigned at birth. For some, however, their gender identity is different from their sex assigned at birth. All people have gender identity, not just transgender people. For the purposes of this guidance, a student’s gender identity is that which is consistently asserted at school.
- E. Gender Nonconforming – A term for people whose gender identity does not meet the stereotypically expectations, such as “feminine” boys, “masculine” girls, and those whose gender expression is androgynous of the norms associated with their sex assigned at birth. This includes people who identify outside traditional gender categories or identify as both genders. Other terms that can have similar meanings include “gender diverse” or “gender expansive.”
- F. Gender Transition – The process by which a person goes from living and/or identifying as one gender to living and/or identifying as another to better reflect the person’s gender identity. Some people may personally identify as a different gender but may not seek to change their public life. Some people take hormones or undergo surgical procedures to change their bodies to better reflect their gender identity. For most young people, 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 identity. Social transition may involve using a nickname or legally changing their names and/or their sex designation on legal documents, choosing clothes and hairstyles that reflect their gender identity, and general living and presenting themselves to others in a manner consistent with their gender identity.
- G. Legal Gender Marker – Commonly known as “sex” assigned at birth, legal gender marker is the designation of the student as “male” or “female” appearing on the student’s Evidence-of-Birth document on file in the student’s record. This will correspond to the “student’s gender” listed on the Student Record Card. Unless the

student has obtained change of the legal gender marker shown on their Evidence-of-Birth document under the procedures prescribed by the entity that issued that document, the student's legal gender marker will typically correspond with the student's sex assigned at birth, but might not correspond with the student's gender identity.

- H. Sex Assigned at Birth – The sex designation recorded on the infant's birth certificate should such a record be provided at birth.
- I. Transgender – Adjective describing a person whose gender identity or expression is different from that traditionally associated with the person's sex assigned at birth. Other terms that can have a similar meaning are "transsexual" and "trans."

II. Identification of Transgender Students

- A. Elementary and Middle School - Generally, it will be the parent or guardian who informs the school of the impending transition. However, it is not unusual for a student's desire to transition to first surface at school. If school staff believe that a gender identity or expression issue is presenting itself and creating difficulty for the child at school, approaching parents about the issue may be appropriate. Together, the family and school can then identify appropriate steps to support the student.
- B. High School – Parents may already be aware and supportive of the student's gender identity, expression, or transition status. In these cases, notification may be unnecessary. In some cases, however, notifying parents carries a risk for the student, such as rejection. Case-by-case decisions regarding parent notification should be made in consultation with the student and should reflect all factors that affect the student's well-being.
- C. Name & Pronouns – Every student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official school records. The school principal will communicate with appropriate staff with regard to students who wish to be addressed by a specific name or pronoun.
- D. Determining a Student's Gender Identity – The person best situated to determine a student's gender identity is the student. Only if there is an objective basis that justifies questioning whether a student's asserted gender identity or expression is genuine may school personnel ask for information to confirm that the gender identity or expression is sincerely held. In that circumstance, examples of information confirming a student's asserted gender identity may include, but are not limited to: a letter from a parent, health care provider, school staff member familiar with the student (a teacher, school counselor, or school psychologist, among others), or other family members or friends.

- E. Medical Evidence – A student shall not be required to produce medical evidence to demonstrate their gender identity.

III. Student Privacy

- A. Information about a student’s transgender status, legal name, or sex assigned at birth may constitute confidential medical information within the student’s educational record. CCPS shall ensure that all medical information relating to transgender and gender nonconforming students shall be kept confidential in accordance with applicable local, state, and federal privacy laws.
- B. Caroline County Public Schools shall restrict access to its student information system to prevent disclosure of confidential information. In addition, CCPS school personnel should use a student’s preferred name in the student information system, except where the school is legally required to use a student’s legal name and gender assigned at birth, if the legal gender marker has not been changed.

IV. Official Records

A. Permanent Student Record

1. The school shall maintain a mandatory permanent student record that includes a student’s legal name and legal gender marker as required by the Code of Maryland Administrative Regulations (COMAR) and the most recent Maryland Student Records Manual. However, to the extent that the school is not legally required to use a student’s legal name and legal gender marker for student records and/or documents, the school shall use the name and gender preferred by the student, if this information is provided by the student.
2. The school will change a student’s official record to reflect a change in legal name and/or legal gender marker upon receipt of a court document that reflects the new legal name or legal gender marker or a court order documenting the new legal name and/or legal gender marker.

B. Changes to the Permanent Student Record

1. Upon receipt of legal documentation that a current student has obtained a change of their legal name and/or legal gender marker, as shown on a court document, the student’s legal name and/or legal gender marker will be revised in the student’s record accordingly.
2. The former record and current record shall be linked in the Student Information System (SIS) by the local student identification number. The former record will

only be accessed to SIS users with “limited or confidential” access privileges.

3. After receiving confirmation that the legal name and/or legal gender marker has been changed, school system personnel shall cooperate and support authorized requests by the student or the parent/guardian to amend the official record in accordance with the federal FERPA.

C. Requests for Amended Official Records

1. If a transcript or high school diploma has been issued under a student’s former legal name, the documents must be re-issued to reflect the new legal name upon request of the student or (if the student is a minor) the student’s parent/guardian. If the student’s legal gender marker and/or legal name have been changed, the student’s official record must be amended to reflect both changes upon request of the student or (if the student is a minor) the student’s parent/guardian.
2. Official records will not be amended for former students who have not amended their legal name and/or legal gender marker as shown on a valid court document or appropriate court order.

V. Sex- or Gender - Segregated Activities and Facilities

A. As a general matter, each school should evaluate all gender-based activities, rules, policies, and practices – including classroom activities, school ceremonies, and school photos – and maintain only those that have a clear and sound pedagogical purpose.

1. If requested, students shall be provided with a separate and private changing area as an option to a locker room. This must be offered to any student who makes that request.
2. Students shall have access to restrooms of the gender for which they identify.
3. Students participating in overnight field trips may be provided with a safe and non-stigmatized private sleeping area as an option.

B. New Construction/Renovation

1. If existing facilities do not meet the requirements of school administration to provide a gender-neutral facility for students, schools should work with district administration to develop facility plans, which could include renovation of existing facilities.

2. Taking into account student safety considerations, the district administration should work to design gender-neutral bathroom facilities that are for student/public use.
3. To the extent feasible, CCPS should build at least one gender-neutral restroom on each floor and in high-traffic areas.
4. To the extent feasible, CCPS should provide at least one gender-neutral changing facility into the design of new schools and school renovations, taking into account safety and confidentiality considerations in the design and location of the gender-neutral facility.

VI. Physical Education Classes, Intramural and Interscholastic Athletics

- A. All students shall be permitted to participate in physical education classes and intramural sports in a manner aligned with the gender identity consistently asserted at school.
- B. Student participation in interscholastic athletics is determined in accordance with Maryland Public Secondary Schools Athletic Association (MPSSAA) policies and guidelines.
- C. Per MPSSAA guidance and to ensure competitive fairness, the integrity of women's sports, and equal opportunities to participate without discrimination, transgender and gender nonconforming students in CCPS shall be permitted to participate on the interscholastic athletic team of:
 1. The student's sex assigned at birth; or
 2. The gender to which the student has transitioned; or
 3. The student's asserted gender identity, as established in their school records (excluding records required by law to maintain legal name and gender).
- D. Schools should refer any appeals regarding eligibility to participate in interscholastic athletics to the CCPS district office.
- E. Accommodations provided at a student's home school should be made available at other facilities with the consent of the student and as part of the student's plan. The coach or home school should notify the school to be visited about any necessary accommodations, keeping the identity of the student confidential.

VII. Overnight Field Trips, Outdoor Education, and Camps

- A. Use of Facilities – Students participating in overnight field trips and camps shall have access to facilities that correspond to their outwardly and consistently expressed gender identity.
- B. Shared Areas – Any student who is uncomfortable sharing a common sleeping area, shower, bathroom, etc. or who has a need for increased privacy, regardless of the reason, shall, upon the student’s request, be provided with a designated safe and non-stigmatizing alternative.

VIII. Dress Code

- A. Schools may enforce dress codes pursuant to county and school policies. Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress codes adopted by the school. School staff shall not enforce a school’s dress code more strictly against transgender and gender nonconforming students than other students.

IX. Discrimination, Harassment, Intimidation or Bullying

- A. It is the responsibility of each school to ensure that transgender and gender nonconforming students have a safe school environment. This includes ensuring that any incident of discrimination, harassment, intimidation, bullying, or violence is given immediate attention, including documenting the complaint, investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources.
- B. Complaints alleging discrimination or harassment based on a person’s actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints consistent with CCPS Policy 10.16 and 10.16 AR.
- C. Transfers – In response to claims of discrimination/harassment, schools should aim to keep transgender and gender nonconforming students at their home schools. Transfers should not be a school’s first response to harassment and should be considered, or when requested by the student or student’s parent/guardian subsequent to a substantiated claim of harassment, intimidation, or bullying.

X. Best Practices

- A. As further guidance and/or best practices become available or changes, CCPS will keep school administrators and counseling staff updated of those changes and additions.