

**V .**  
**TRANSGENDER**  
**AND NONBINARY**  
**STUDENT**  
**GUIDELINES AND**  
**PROCEDURES**

**“I’ll get an occasional threat. At school, I’ve been asked what body parts do I have or what my real name is or what does my real voice sound like.”**

**- BCPS Transgender Student**



## INTRODUCTION

Broward County Public Schools (BCPS) recognizes that every child deserves an opportunity to thrive in school. We know that every student has the right to learn in a safe and accepting school environment. Supporting transgender students and families of transgender youth gives young people in our schools the equal opportunity that all students need. As visibility and awareness of transgender people increases, more parents, school administrators, support staff, teachers and healthcare providers are learning about the importance of supporting transgender students.

The expression of transgender identity, or any other form of gender-expansive behavior, is a healthy, appropriate and typical aspect of human development. When students are harassed or bullied based on their gender, or others' perceptions of it, learning often takes a backseat. Instead, students may worry about such things as bullying in the hallway, mistreatment on the school bus or which restroom to safely use. Every student who transitions at school is entitled to a safe and supportive environment in which to follow their unique journey to become their authentic selves.

Throughout this chapter, the words “transgender” and “nonbinary” are used interchangeably. For the sake of clarity, data and statistics in this document use "transgender" as an umbrella term that may include nonbinary, gender expansive, and gender nonconforming youth. All nonbinary and gender expansive youth do not identify as transgender, however, there can be overlap in accommodations made to make transgender and nonbinary students comfortable. We attempted to make the distinctions and similarities between these terms clear in “Chapter 2: Statistics and Definitions.”

According to the Human Rights Campaign's resources on transgender violence (<https://www.hrc.org/resources/addressing-anti-transgender-violence-exploring-realities-challenges-and-sol>) bullying, mistreatment or harassment toward students that are transgender or gender nonconforming is pervasive in schools across the United States. For example:

- 75% of transgender students feel unsafe at school and those who are able to persevere have significantly lower GPA's, were more likely to miss school out of concern for their safety and were less likely to plan on continuing their education
- 59% have been denied access to restrooms consistent with their affirmed gender identity
- 9 out of 10 transgender students report being “verbally harassed due to their gender expression” and more than half have also been “physical assaulted”

## Broward County Public Schools LGBTQ Critical Support Guide

- More than one third of transgender students report they have “heard school staff make homophobic statements, sexist remarks or negative remarks about someone’s gender expression”
- 42% of transgender people have attempted suicide in their lifetime

We know that there is a social system that constructs gender according to discrete and opposite categories – male and female. Yet, this gender binary is being challenged by the population in general and our students whose innate sense of core identity is different from their assigned sex at birth. It is also being challenged by our students who are gender nonconforming and not fitting neatly into the gender binary of female or male.

Children typically begin expressing their gender identity between the ages of two and four years old. Around this age, transgender children often express their cross-gender identification to their family members or caregivers. However, not all youth who identify as transgender begin the process at an early age; for some, gender identity is a slower, more nuanced process for a variety of personal, social, developmental and societal reasons. Creating a more welcoming environment for students’ gender diversity is a more effective and lasting strategy. Broward County Public Schools is working to develop more gender-inclusive environments for all students, knowing that we are also creating more affirming spaces for transgender young people in the process.

Students and families have all kinds of needs, whether they are gifted, speak a first language other than English or are transgender. All educators have a professional, ethical and legal obligation to provide for these unique needs. Dispelling harmful stereotypes and prejudices of all kinds create spaces where every student has the opportunity to both learn and thrive. So is the case for our students who identify as transgender and gender nonconforming.

## **ACKNOWLEDGEMENTS**

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- Tiffany Richards, MA, Diversity, Equity, and Inclusion Specialists, University of Florida
- Principals and Assistant Principals of Broward County Public Schools

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- Washington District of Columbia Public Schools
- Los Angeles Unified School District
- Chicago Public School District
- San Francisco Unified School District
- Massachusetts Department of Elementary and Secondary Education
- State of California Transgender Guidelines
- “Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools”
- GLSEN’s Model District Policy on Transgender and Gender Nonconforming Students



## **FEDERAL STATE AND LOCAL NONDISCRIMINATION AND ANTI- BULLYING POLICIES AND GUIDELINES**

The 14th Amendment guarantees all people equal protection under the law. Public school officials may be held liable for violating LGBTQ+ students’ constitutional rights or not intervening in anti-LGBTQ+ harassment.

Title IX of the Education Amendment Acts of 1972 prohibits gender-based harassment, such as the harassment of a gender-expansive student. Title IX sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. In 2012, Broward County Public Schools published its first edition of the *BCPS LGBTQ Critical Support Guide* designed to provide uniform guidance on the rights of LGBTQ+ students, staff, and families within the district. This guide was modeled after Title IX and federal guidance at the time that provided special protections for LGBTQ+ students.

The Florida Department of Education’s Code of Ethics and Principles of Professional Conduct stresses the worth and dignity of every person. In addition, it prohibits discrimination based on sexual orientation, among other characteristics. As well, The School Board of Broward County’s Policy 1.5 (Diversity Committee) urges that diversity be promoted. Furthermore, it defines “diversity” as being inclusive of sexual orientation, gender identity and gender expression.

Several local Broward County policies and ordinances specifically prohibit harassment and discrimination based on sexual orientation, gender identity and gender expression, such as: the Broward County Human Rights Act, the School Board of Broward County’s Non-Discrimination Policy 4001.1 and the School Board of Broward County’s Anti-Bullying Policy 5.9.

## **FERPA GUIDANCE**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 C.F.R. §§ 99.00 et seq.) is a federal law that protects the privacy of all students’ educational records. FERPA provides parents and students 18 or older certain rights with respect to educational records (34 C.F.R. § 99.4-5). Under FERPA, students, current or former, have a right to seek to amend their school records if said records are “inaccurate, misleading, or in violation of the student’s rights of privacy.” (34 C.F.R. § 99.7(a)(2)(ii)). Transgender students who choose to change their name and gender marker on educational records can seek such an amendment under this federal law before or after school

## Broward County Public Schools LGBTQ Critical Support Guide

completion. Please reference “A Transgender Advocate’s Guide to Updating and Amending School Records” from Lambda Legal by visiting [https://www.lambdalegal.org/sites/default/files/publications/downloads/factsheet\\_ferpa.pdf](https://www.lambdalegal.org/sites/default/files/publications/downloads/factsheet_ferpa.pdf).

### **A. NAMES AND PRONOUNS**

The appropriate use of names and pronouns with transgender and nonbinary students is vital in creating a safe and supportive environment in the school community. Students shall have the right to be addressed by a name and pronoun corresponding to their gender identity as expressed by the individual student.

The parent(s) or guardian with legal custody of a child may also request that their child be addressed by the student’s affirmed name and affirmed gender pronoun that corresponds to the student’s gender identity. A court-ordered name or court-ordered gender change is not required to call the child by their affirmed name or gender pronoun. If or when there is receipt of documentation that a student has legally changed the name or gender (per Florida’s requirements), the student’s education records should be updated to reflect the legal change.

Parents (of children who are 17 years old or younger) who wish to formally change their child’s legal name in all demographic systems will need to submit the following forms to their child’s registrar or administrator (students 18 years and older can initiate these changes on their own.):

- A court order with the new legal name
- A birth certificate with the new legal name

Parents may also consider requesting a new student number for their child. A new student number will decrease the likelihood of a student's previous name appearing in demographic systems. Please visit [www.floridanamechange.org](http://www.floridanamechange.org) for more information. School personnel should privately ask a transgender student how they want to be addressed in communications to the home or at conferences with the student’s parent(s)/ guardian. In addition, prior to notification of any parent(s)/guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parent(s)/guardian will be involved in the process and must consider the health, well-being and safety of the transitioning student.

School personnel should use the student’s affirmed name and pronoun appropriate to a student’s gender identity, regardless of the student's legal sex or legal name.

**It is strongly advised that the transgender student and one designated “trusted adult” review the “Transgender Planning Guide” together for initiating use of the affirmed name and pronoun consistent with the student’s gender identity, as well as ensuring other safety components are in place at school. The guiding questions in the planning guide act as a resource to schools. As a privacy safeguard, any documentation, notes or responses to these questions should remain in the sole possession of the trusted adult and/or school district leadership coordinator. The documentation should not be disseminated or be placed in any education records with identifiable information.**

The “Transgender Planning Guide” is located in the appendix of the *LGBTQ Critical Support Guide*. If needed, contact the Department of Equity & Diversity at 754.321.1600 for consultation regarding the guiding questions.

As with other related issues involved with creating a safe and supportive environment for transgender and nonbinary students, the best course is to engage the student and, when possible, the parent(s)/guardian (especially in the case of a younger student), with respect to name and pronoun use and agree on a plan to initiate that name and pronoun use within the school. The “Gender Support and Transition Planning Guide” also could include when and how this is communicated to students and their parent(s)/guardian.

**In order to prevent alienating a student, teachers and schools should respect and work with students on a case-by-case and customized basis to ensure that their individual needs are met and respected.** Keeping in mind that there may be difficulties with making changes to names and pronouns, it is empowering and meaningful to the student who has made, or is in the process of making, the transition.

## **B. GENDER MARKER CHANGE**

Parents of students under the age of 18 may request a gender marker change. Parents, or students 18 years and older, will need to write, sign, and date a brief letter requesting their gender marker be changed on all education records. After the request letter is submitted to an administrator or school registrar, the student’s gender marker will be changed from “F” for “female” to “M” for male, or vice versa in TERMS.

Note: At current, the state of Florida only recognizes male and female as legal genders. Therefore, students or parents cannot request a gender marker be changed to any other sex or gender designation.

## **C. PRIVACY, CONFIDENTIALITY, EDUCATION RECORDS**

Generally, if a student wishes for their name to be changed at school, despite whether or not they have brought in a legal name change, selected nonacademic records should reflect their preferred name. Examples include but are not limited to: yearbook, lunch line rosters,

## Broward County Public Schools LGBTQ Critical Support Guide

general rosters, substitute plans, and newspapers/newsletters. Furthermore, care should be taken so that the student’s affirmed name is used in instances such as but not limited to calls for early dismissal, reporting to the clinic, etc. so potentially uncomfortable or unsafe situations where the student could be misnamed or mis-gendered do not take place.

The parent or guardian with legal custody of a child may also request that their child be addressed by the student’s affirmed name and pronoun that corresponds to the student’s gender identity. As stated previously, a court-ordered name or court-ordered gender change is not required and no change is required to the student’s education records.

### **Privacy and Electronic Databases**

#### A. TERMS (Total Educational Resource Management System)

If the student requests, and in the case of an elementary-aged student, the student and parent(s)/guardian requests, the affirmed name shall be entered into the District’s Student Information System to inform staff of the name to use when addressing the student. This addition to the Student Information System is facilitated by the Assistant Principal, along with a trusted adult (see Gender Support and Transition Planning Guide) and communicated to the Data Entry Clerk/IMT at the student’s school. The A-03 panel in TERMS will have a field entitled “Affirmed First,” denoting the student’s affirmed first name. See screenshot below.

PANEL: \_\_\_\_\_ A03. DEMOGRAPHICS YEAR: 16  
STDT: \_\_\_\_\_ KEY: \_ TYPE:  
LAST APP FIRST MIDDLE AKA AFFIRMED FIRST  
RESNBR DR STREET TYPE APT/BLDG CITY ST ZIP+4 RES CY  
FL \_\_\_\_\_ 06

The same field can also be found on the L-15 panel entitled “Student Affirmed First Name”.

PANEL: \_\_\_\_\_ L15. STUDENT CONTACT INFORMATION YEAR: 16  
STDT: \_\_\_\_\_ MAJ ST: \_\_\_\_\_ SCHL: \_\_\_\_\_ GR: \_\_\_\_\_ ST: \_\_\_\_\_  
STUDENT AFFIRMED FIRST NAME: \_\_\_\_\_  
CELL #: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ EMAIL: \_\_\_\_\_  
STUDENT SIBLINGS

Schools should enter the affirmed name on both the A-03 panel and the L-15 panel.



## Broward County Public Schools LGBTQ Critical Support Guide

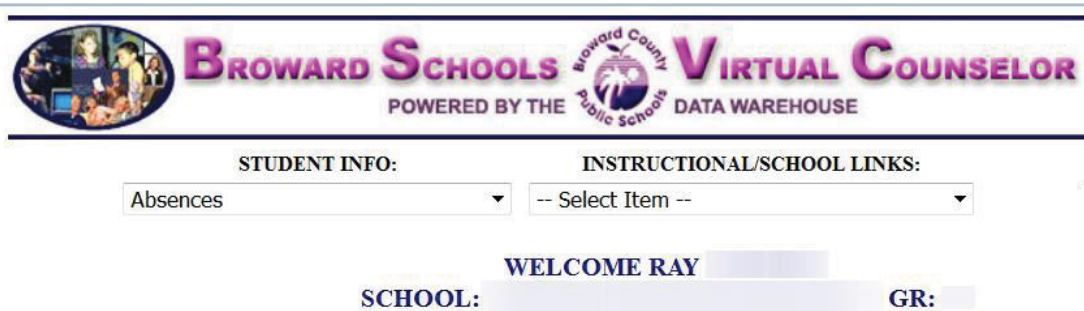
### B. BASIS (Behavioral and Academic Support Information System)

In the student detail grids of BASIS the affirmed first name will be denoted with an asterisk (\*). The asterisk will indicate that the student's official name is different from the student's affirmed name. From any student grid, double click on the student's row to bring up the student's individual profile screen in BASIS. The Individual Student Profile Screen has a demographic section in the upper left-hand corner. In this section you will find the student's official/birth name as well as a field entitled "Affirmed First Name", which has been added for this purpose as well. See screenshot below.



### C. Virtual Counselor

Virtual Counselor, a portal for students and/or parent(s)/guardian to view student information, will also list the student's affirmed first name. See screenshot below.



### D. Pinnacle

Pinnacle, an attendance and teacher gradebook tool, has not changed. Pinnacle produces Substitute Teacher Reports for attendance purposes. In order to ensure the affirmed name is a part of any substitute teacher report, the following steps should be followed by the attendance manager producing a substitute teacher report for a substitute: Go to the BCPS

## Broward County Public Schools LGBTQ Critical Support Guide

Data Warehouse “School Reports Menu.” Click on the “Attendance Folder.” Select the report “ATTI008 – Attendance for Substitute Teacher w/Affirmed Name”. This roster will contain the affirmed first name of the student who identifies as transgender.

### E. Canvas

In 2017, BCPS began use of the Canvas application. Canvas is an online learning management platform used for web-based professional development, online courses, and assignment submission. Within canvas, all users can choose to display their own pronouns and change their usernames at will. It is expected that the educator use the affirmed name and pronoun chosen by the transgender student.

**Please inform students who request their affirmed names be added to electronic databases that the parent(s)/guardian may request copies of information found on TERMS, BASIS, Virtual Counselor, Pinnacle, and Canvas as these are education records.**

Transgender students have the right to discuss and express their gender identity and expression openly and to decide when, with whom and how much to share private information, including with parent(s)/guardian. The fact that a student chooses to disclose his or her transgender status to staff or other students does not authorize school staff to disclose other medical or transition-related information about the student. Broward County Public Schools follow federal laws, including The Family Educational Rights and Privacy Act (FERPA). School leadership and/or staff shall not “out” a child (Sterling v. Borough of Minersville, 232 F.3d. 190,196 n.4 3d Cir. 2000), even to their own parent(s)/guardian. This could endanger both the psychological and physical safety of a child. When contacting the parent(s)/guardian, school staff should use the student’s legal name and the pronoun corresponding to the student’s gender assigned at birth unless the student has specified otherwise.

Remember, the name in the databases (TERMS, BASIS, Pinnacle, Virtual Counselor and Canvas) are part of the education record and is therefore covered by FERPA. This means if parents/guardian requests access to their child’s records, they will have access to the child’s preferred name. **If a student transitioning at school is not ready to share their transgender status with their family, this should be respected. School staff should make a change socially, meaning calling the student by the affirmed name and pronoun. Other social accommodations should be decided by the student during their Transgender Planning Guide meeting.**

All persons, including students and employees, have a right to privacy and this includes the right to keep one’s gender identity private at school or work. Information about a

## Broward County Public Schools LGBTQ Critical Support Guide

student's transgender status, transition process, legal name or gender assigned at birth also constitute confidential medical information. Disclosing this information to other students and/or other students' parent(s)/guardian or other third parties without consent of the student may violate privacy laws, such as FERPA.

### **Transferring to a New School**

In the case of a transgender student enrolling at a new school, the school must respect the student's privacy. Information about a student's assigned birth sex, name change for gender identity purposes and gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, is part of the education record, is confidential, and must be kept private and secure, except in limited circumstances. One circumstance is when authorized school personnel require the information to provide administrative, teaching, counseling or other services to the student in the performance of their official duties. Reminder: Please inform the parent(s)/guardian of a transgender student who is transferring to another school within or outside of the District to request the affirmed name be either included or deleted from the education record prior to the record being disclosed to the next school.

### **General Knowledge**

Transgender students have the right to discuss and express their gender identity and expression openly and decide when to share information, with whom and how much to share. When contacting the parent or guardian of a transgender student, school staff should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise. **It is strongly suggested that school personnel privately ask transgender and gender nonconforming students how they want to be addressed in communications to the home or at conferences with the student's parents/legal guardians.**

## **D. DRESS CODES AND SCHOOL UNIFORMS**

All students shall be allowed to dress in accordance with their gender identity and gender expression, as stated in BCPS Code of Student Conduct Handbook, Section 3, and Dress Code. School dress code and uniform policies shall be gender-neutral (as example, special events, graduation ceremonies, prom, etc.) and should not restrict students' clothing choices on the basis of gender or traditional stereotypes about what males and females "should" wear. All students, regardless of gender identity, shall dress within the constraints of the school's dress code as it relates to health and safety or the school uniform policy.

Dress code guidelines apply to regular school days as well as any special events, such as

Broward County Public Schools LGBTQ Critical Support Guide  
graduation ceremonies and prom. For example, schools may require formal attire for all students at a ceremony, but may not specify that girls must wear dresses and boys must wear ties. This standard extends to organizations that require uniforms with which BCPS is affiliated (e.g. JROTC and similar programs).

## **E. RESTROOM**

Transgender students shall have access to the restroom that corresponds to their gender identity asserted at school, or the restroom that makes them feel safe and comfortable. This means that transgender students are entitled to use gender segregated restrooms that match their gender identity. When meeting with the transgender student (or student and parent(s)/guardian if a young student) to discuss transgender safety and care, it is essential the principal and student address student's access to the restroom, locker room and changing facilities, and when necessary, sleeping arrangements. Each situation needs to be reviewed, addressed and customized based on the particular preferences of the student and the school facilities. Please reference the "Transgender Planning Guide" below for further information.

In all cases, the principal should be clear with the student (and parent(s)/guardian, if appropriate) that the student may access the restroom, locker room and changing facility that corresponds to the student's affirmed gender identity and comfortability.

Some transgender students may not be comfortable using gender-segregated restrooms. If so, the use of a safe and adequate alternative, such as a single stall, gender-neutral restroom is appropriate. Each BCPS school was provided with a single-stall, gender-neutral restroom sign. If your school is in need of a sign, please contact the Department of Equity & Diversity. As a proactive action, administrators should notify all staff members of the gender-neutral restroom location(s) on campus. Note that a gender-neutral restroom may be used by any student at a school, transgender or otherwise, who desires increased privacy, regardless of the underlying reason, however, the single-user bathroom may not be given as the *only* option for transgender students.

## **F. LOCKER ROOMS, CHANGING FACILITITES**

Transgender students can have access to the locker room that corresponds to the gender identity the student asserts at school, considering the available accommodation and the needs and privacy concerns of all students involved.

If any student has a need or desire for increased privacy or safety, regardless of the underlying reason, upon request, the student may be provided access to a reasonable alternative changing area or locker room such as:

--Use of a private area in the public area of the locker room facility (i.e., a nearby restroom

## Broward County Public Schools LGBTQ Critical Support Guide

stall with a door, an area separated by a curtain, or a P.E. instructor's office in the locker room.)

--A separate changing schedule (either utilizing the locker room before or after other students

--Use of a nearby private area (i.e., a nearby restroom, office restroom or health office restroom)

School staff as well as students and/or families may find the use of restrooms and changing facilities to be among the more challenging issues presented by gender identity law and policy guidelines. **As emphasized in other sections of this guidance, these issues should be resolved on a customized case-by-case basis, through dialogue with students and/or parent (if needed), and through leadership in creating safe and supportive learning environments via the Broward County Public Schools Gender Support and Transition Planning Guide.**

### **G. DAY AND OVERNIGHT FIELD TRIPS**

Day field trips and overnight field trips are opportunities for educational endeavors and social engagements and it is important to make sure that transgender students have both components. This can require some planning to ensure affirmed name, gender pronouns, room assignments, chaperones and showers are accurate and aligned with the student's core gender identity.

A transgender student's comfort level with sleeping arrangements will largely dictate the manner in which related issues are addressed. If students are to be separated based on gender, the transgender student should be allowed to room with peers that match their gender identity. As with other students, it is important to pair the student with peers with whom the student feels comfortable, as well as with a rooming student(s) who feels comfortable. A school should honor transgender students' requests whenever possible and make adjustments to prevent the student from being marginalized because of those alternative arrangements. Schools have an obligation to maintain the student's privacy and shall not disclose the student's transgender status to other students or parents if the student is not already out and/or did not give permission. In the case of younger-aged students (elementary), discussion should take place with the student's parent(s)/guardian (for more information see "Privacy, Confidentiality, and Education Records.")

Single stall or private shower facilities are appropriate. If there are communal shower facilities, the school should consider creating a schedule to allow the student to use the communal facilities.

### **Gender Segregation in Other Areas**



## Broward County Public Schools LGBTQ Critical Support Guide

As a general rule, in any other circumstances where students are separated by gender in school activities or programs (i.e., class discussions, field trips, etc.), students shall be permitted to participate in accordance with their gender identity as expressed by the student and asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case by case basis. In such circumstances, staff shall make a reasonable effort to provide an available accommodation that can address any such concerns.

### **Other Gender-Based Activities, Rules, Policies and Practices**

As a general matter, schools should evaluate all gender-based rules, practices and traditions, 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 gender nonconforming or not. In some circumstances, these policies, rules and practices may violate federal and state law. For these reasons, schools should consider alternatives. Examples of practices needing to be changed include: graduation gowns in different colors for males and females, lining students up by girls and boys for recess, lunch, restroom use, etc. and gender-based dress for events at school, to name a few. Simple things such as calling students “students” or “scholars” instead of “boys and girls” may seem insignificant but actually make a notable difference to students who feel alienated because they may not identify as being part of either of the two binaries. 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.

### **H. PHYSICAL EDUCATION, SPORTS, ATHLETICS**

Transgender students are to be provided the same opportunities to participate in physical education and sports as are all other students. Transgender students shall be permitted to participate in gender-segregated recreational physical education activities, athletic teams and competition in accordance with the student’s gender identity as expressed by the student and asserted at school.

Title IX of the Education Amendment Acts of 1971 prohibits gender-biased harassment, such as the harassment of a gender-nonconforming student. Importantly, in April of 2014, the U.S. Department of Education released historic guidelines reaffirming federal civil rights protections to transgender students. Title IX sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. This law reminds schools of the obligation to protect transgender students from sexual harassment and informs schools that they have an obligation to train staff on appropriate interactions with transgender students.

## Broward County Public Schools LGBTQ Critical Support Guide

Broward County Public Schools athletics are under the auspices of the Florida High School Athletics Association (FHSAA). The FHSAA supports the participation of transgender and gender nonconforming students in all athletic activities in alignment with the Florida Department of Education's Code of Ethics and Principles of Professional Conduct related to the worth and dignity of every person.

The FHSAA Handbook year 2019-2020 forward includes specification entitled "Gender Identity Participation" including the eligibility to participate in interscholastic athletics in a manner that is consistent with a student's gender identity and expression, irrespective of the gender listed on a student's birth certificate and/or records. Review procedures are outlined in the FHSAA Handbook (<http://www.fhsaa.org/rules/fhsaa-handbook>.)

### I. STUDENT TRANSITIONS

Not all gender-nonconforming students identify as being transgender, so transition may look very different for each student and not all people who undergo a transition desire the same outcome.

In most cases, transitioning is a very private matter. Students may choose to have their parent(s)/guardian participate in this process; however, parental/guardian participation is not required. Sometimes older students (high school or middle school) are navigating familial challenges with acceptance of a child's gender affirmation. As well, young students (typically elementary-aged, but not always) navigate the transition process with their parent/guardian.

When appropriate, schools, in particular one "trusted adult," should work closely with the student or the student and parent(s)/guardian in reviewing the "Transgender Planning Guide" regarding the confidentiality of the student's transgender status and other safety components. The Planning Guide's guiding questions are a comprehensive tool that can assist this process. These questions provide a list of topics for a transitioning student to review with a trusted adult in the school and/or with a school administrator. Privacy considerations also may vary with the age of the student. Please see below for additional guidance specific to elementary-aged students. The responses generated from the "Transgender Planning Guide" should be discussed only with the persons who are responsible for implementing the plan. As one example, the PE teacher should be notified that a student who had previously used a boy's locker room would move into the girl's area. The "Transgender Planning Guide" can be found in the appendix of the *BCPS LGBTQ Critical Support Guide*. **As a privacy safeguard, any generated documentation, notes or responses to the questions within the planning guide should remain in the sole possession of the trusted adult and/or school leadership team coordinator. The documentation should not be disseminated or placed in any education records with identifiable information.**

### **Developmentally Appropriate Protocols**

In order to maintain privacy and confidentiality regarding transition and gender identity, transgender students may wish—but are not required—to transition over a summer break or between grades. Regardless of the timing of a student’s transition, the school shall act in accordance with the following developmentally appropriate protocols. **These protocols are guidelines, but each student situation should be handled according to the maturity of each individual student and the contextual situation, while still respecting that student’s rights.**

#### **Grades PK-5**

Generally, the parent or guardian will inform the school of an impending transition. However, it would be appropriate to approach the family of an elementary school student if school staff believes that a gender identity or expression issue is presenting itself at school and creating difficulty for the student. Together, the family and school can then identify appropriate steps to support the student. A guide of community as well as District resources can be found in the resources section of the *BCPS LGBTQ Critical Support Guide*, <http://www.browardschools.com/lgbtq>.

#### **Grades 6-12**

Notifying parent(s)/guardians who are unaware or not on board carries risks for the student. For example, some parents who are not accepting may force the child to leave home. **Prior to notification of any parent or guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parent(s) or guardian will be involved in the process and must carefully consider the health, well-being and safety of the transitioning student.**

When a student transitions during the school year, the school shall hold a meeting with the student and parent(s)/guardian, if they are involved in the process, to ascertain their desires and concerns. The school should discuss a timeline for the transition in order to create the conditions supporting a safe and accepting environment at the school. Finally, it is recommended that the school sensitize and train school administrators and any educators that interact directly with the student on the transition plan, timelines for transition and any relevant legal requirements.

### **Education and Training**

In order to further facilitate a safe and supportive school environment for all students, the BCPS Equity & Diversity Department will incorporate education and training about transgender and nonbinary students into their anti-bullying curriculum, student leadership

## Broward County Public Schools LGBTQ Critical Support Guide

trainings and staff professional development. As with other efforts to promote positive school culture, professional development for school staff could include topics on gender identity and gender expansiveness such as the detailed information in BCPS “TRANSGENDER AND NONBINARY STUDENT GUIDELINES AND PROCEDURES” located in the *BCPS LGBTQ Critical Support Guide*, key terms related to gender identity and expression and the development of gender identity. As well, professional development could include experiences of transgender and other gender nonconforming students, risk and resilience data regarding transgender and gender nonconforming students, ways to support transgender students and to improve the school climate for gender nonconforming students and gender-neutral language and practices. Information regarding LGBTQ+ professional development opportunities for educators and employees of BCPS is available in Learning Across Broward (LAB).

An exemplary guide for understanding and supporting students who identify as transgender is “Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools” and can be found at [http://www.nea.org/assets/docs/Schools\\_in\\_Transition\\_2015.pdf](http://www.nea.org/assets/docs/Schools_in_Transition_2015.pdf). Also, [www.genderspectrum.org](http://www.genderspectrum.org) has information about transgender and gender expansive children. These sites may offer you more knowledge about transgender and gender variant children, both in school and in general.

### **A Note about Adults (Staff, Parent/Guardians and Caretakers) Who May Be Transgender or Nonbinary**

As with young people, BCPS is home to adult employees and volunteers who are transgender. Transitioning may look very different for each staff member, parent(s)/guardian or school visitor. Not all people who undergo a transition desire the same outcome. Staff members, parents, guardians or caretakers in our schools also have the right to keep their transgender identity private and confidential, be addressed by the name and pronoun that corresponds to their gender identity and dress in accordance with their gender identity. They also have the right to use the bathrooms and locker rooms that match their gender identity or make them feel most comfortable.

### **Outside Media and Community Communication**

Media inquiries about issues related to gender identity should be referred to the BCPS Office of Communications. Rather than directly commenting on the issue, BCPS staff should direct inquiries from families or the immediate school community to the principal or LGBTQ+ Coordinator.

**Conclusion**

One cannot anticipate every situation in which questions may come up in the implementation of transgender procedures. The needs of each transgender or gender nonconforming student should be assessed and addressed on a case-by-case basis. Broward County Public Schools Department of Equity & Diversity and the LGBTQ+ Coordinator will continue to provide assistance, support and resources as we work together to create a safe and supportive school environment for all students.

- For further information or questions about the content of this guidance, contact the BCPS Department of Equity & Diversity and the LGBTQ+ Coordinator, 754.321.1600.
- For questions regarding privacy of education records, contact the Privacy Officer, BCPS Risk Management Department, 754.321.1900
- For questions that a school-based Data Entry Clerk/IMT may have about entering information in BCPS Student Information System, contact your school's Assistant Principal.
- For questions regarding consultation about LGBTQ+ and transgender needs, contact the LGBTQ+ Coordinator, BCPS Department of Equity & Diversity at 754.321.1600.

The School Board of Broward County's Non Discrimination Policy Statement 4001.1 states, in part: The School Board of Broward County, Florida...shall not discriminate against students, parents or guardians of students, employees, applicants, contractors, or individuals participating in School Board sponsored activities. The School Board is committed to the provision of equal access...This policy is established to provide an environment free from discrimination and harassment based upon age, race, color, disability, gender identity, gender expression, marital status, national origin, religion, sex or sexual orientation.



## J. TRANSGENDER PLANNING GUIDE

### **Introduction**

Our district is committed to honoring the rights of transgender students. Indeed, our own Nondiscrimination Policy Statement (Policy 4001.1) includes gender identity, gender expression, sex and sexual orientation in the list of categories for which discrimination and harassment are prohibited.

These questions, a resource to schools, can be used as a planning guide for school leadership teams or a trusted adult to create shared understanding about the ways in which a student's authentic gender will be supported at school. As a privacy safeguard, any documentation, notes or responses to these questions should remain in the sole possession of the trusted adult and/or school leadership team coordinator. These guiding questions should not be disseminated or placed in any education record (hard copy or electronic) unless the student gives consent.

As stated above, the Federal Education Rights and Privacy Act prohibits school personnel from disclosing private information related to transgender students and their families without their permission. To minimize the possibilities of accidental disclosure, we developed the Transgender Planning Guide to be used by educators. If a student discloses their transgender identity to a staff member, it is a best practice for that staff member to notify students of their rights (as outlined in the *BCPS LGBTQ Critical Support Guide*) and for the employee to offer to organize a Transgender Planning meeting using the following questions as guidance.

The "Transgender Planning Guide" is customizable. As the safety needs and legalities surrounding school-based gender transitions evolve, so too will the Planning Guide. For further questions/comments or assistance, contact the Equity & Diversity Department, LGBTQ+ Coordinator at 754.321.1600.

### **Parent/Guardian Involvement**

#### **Does the student or has the student:**

- Have a parent/guardian who is aware and supportive of the student’s gender transition?
- Discussed how communication will take place with parent/guardian when using student’s name and gender?
- Have siblings at the school?

### **Confidentiality, Privacy, Disclosure**

#### **Does the student or has the student:**

- Agreed to disclose their transgender identity?
- With whom? (Parent/guardian, school site level leadership, support staff)

### **Student Safety**

#### **Does the student or has the student:**

- Have a “trusted adult” on campus?
- Have a person to go to if the “trusted adult” is not available?
- Have a support group on campus (e.g. Gay-Straight Student Alliance, Counseling Support Group, etc.)?
- Have a process for periodically checking in with an adult?
- Have an LGBTQ+-specific mental health counselor (contact SunServe for free services)

### **Names, Pronouns, Student Records**

#### **Does the student or has the student:**

- Asked for affirmed name to be used when addressing the student?
- Asked for affirmed gender pronoun be used when addressing the student?
- Verbally agreed to allow her/his “Affirmed Student First Name” be a part of TERMS, BASIS, Pinnacle and Virtual Counselor. Note: Please inform the student that parent(s)/guardian have the right under The Family Educational Rights and Privacy Act (FERPA) to review education records, including information stored on electronic databases
- Have a “trusted adult” who will ensure these adjustments are made and communicated as needed?

As a reminder, unless the student has legally changed their name, the District maintains birth name on education records, including:

## Broward County Public Schools LGBTQ Critical Support Guide

- All school registration forms
- Report cards
- Standardized tests
- Student cumulative file
- IEPs and 504 plans<sup>1</sup>

Schools post or distribute other types of information as communication tools. These documents should contain the student's affirmed name (with the permission of the student). They include:

- Roll
- Substitute teacher's roster
- School photos
- Lunch line
- Diploma
- Yearbook
- Student ID and library cards
- Posted lists
- Certificates and awards
- Newspapers and newsletters
- PA announcements
- Announcements at assemblies
- Graduation program and all event programs
- Online learning platforms

### **Have you and the student discussed:**

- Whether or not the parent(s) guardian is aware of the student's gender status?
- Whether or not the student's gender status is supported by the parent(s)/guardian?

### **Restroom Use**

#### **Does the student or has the student:**

- Spoken with you about the restroom(s) they will use on campus?
- Know who to contact to if there are questions or concerns about the restrooms?

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<sup>1</sup> The legal name of transgender students must be used on IEPs and on 504 plans, however, a note can be made on the IEP that a student is using a new affirmed name and pronoun and will be referred to using the affirmed name and pronoun throughout the document.

### **Extracurricular Activities**



## Broward County Public Schools LGBTQ Critical Support Guide

Information in this document was adapted from:  
“Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools”  
by *Gender Spectrum*

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