

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2020-2021

GUIDELINES FOR PROMOTING SAFE AND INCLUSIVE SCHOOLS



*Supporting Transgender and Gender Expansive Students
School Operations and Division of Student Services*

Revised: 07/2020

MIAMI-DADE COUNTY PUBLIC SCHOOLS

GUIDELINES FOR PROMOTING SAFE AND INCLUSIVE SCHOOLS

The School Board of Miami-Dade County has adopted comprehensive anti-discrimination and anti-bullying policies that require all students be treated with respect regardless of their unique characteristics, including sexual orientation or gender identity.¹ Every student has the right to learn in a safe and accepting school environment and schools have a responsibility to provide a safe and nondiscriminatory environment for all students, including transgender and gender nonconforming students.

These guidelines are intended to promote a positive, proactive approach that upholds and protects the rights of transgender and gender nonconforming students; and best practices to ensure that transgender students and gender nonconforming students have equitable access to all aspects of school life (academic, extracurricular and social) in ways that preserve and protect their dignity.

This guide includes affirming the right of students to wear clothing, attend classes, choose restroom and locker rooms, and be addressed with names and pronouns that reflect the gender they identify with.

This document is intended to support schools in fulfilling our shared obligation to promote the dignity, respect and equity of transgender and gender nonconforming students.

DISTRICT POLICIES SUPPORTING LGBTQ YOUTH

School Board Policy - 1362, 3362, 5517 – Anti-Discrimination/Harassment- The Board will vigorously enforce its prohibition against discrimination/harassment based on sex, race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, gender, gender identification, social and family background, linguistic preference, pregnancy, and any other legally prohibited basis. Retaliation against an employee or student for engaging in a protected activity is prohibited.

School Board Policy - 5517.01 – Bullying and Harassment- Bullying, Harassment, Cyberbullying, and Discrimination (as referred to and defined herein) encompasses, but is not limited to, unwanted harm towards a student or employee based on or with regard to actual or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family

¹ See School Board Policies 5517, *Anti-Discrimination/Harassment (Students)* and 5517.01, *Bullying and Harassment*.

background. This policy prohibits bullying or harassment of any student by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside of the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District.

GUIDING PRINCIPLES

Even though the needs of transgender students vary tremendously based on a range of factors, a number of guiding principles informed this document. These principles include:

- Every student has the right to learn in a safe and accepting school environment. Supporting transgender students gives them the equal opportunity that schools are legally obligated to provide to all students.
- All adults must act as protective agents committed to the safety and well-being of the youth they serve, including those who are transgender or gender non-conforming, and should recognize that working as a team is in the best interest of individual students seeking support.
- No student should ever be asked, encouraged or required to affirm a gender identity or to express their gender in a manner that is not consistent with their self-identification or expression.
- Ongoing learning is a key element of this process. Educators and administrators need to engage in regular professional development and training to build a school climate that avoids gender stereotyping and affirms the gender of all children.²

² See GLSEN & Harris Interactive (2012). Playgrounds and Prejudice: Elementary Schools Climate in the United States, A Survey of Students and Teachers. New York: GLSEN (providing statistical data quantifying the effect to bullying on students who do not conform to gender stereotypes)

SHARED UNDERSTANDING - DEFINITIONS

There are often gaps in trust — grounded in past or current experiences between students, families and educational institutions. This document will also incorporate language, resources and suggestions for navigating these trust gaps and supporting the student's safety and well-being.

A number of terms are used in this document that may not be commonly known. A short list of definitions is included below to facilitate a shared understanding. It is not an all-inclusive list.

Gender: Complex relationship between physical traits and one's internal sense of self as male, female, or neither (gender identity) as well as one's gender expression (outward presentation and behaviors).

Sex assigned at birth: A person's biological sex is a combination of bodily characteristics, including chromosomes, hormones, internal and external genitalia, and secondary sex characteristics. At birth, infants are assigned a sex, usually male or female, based solely on the appearance of their external anatomy.

Gender expression: How a person expresses their gender through outward presentation and behavior. This includes, for example, a person's name, clothing, hair style, body language and mannerisms.

Gender identity: A person's deeply held internal sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth.

Gender expansive: refers to people 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.

LGBTQ: Acronym for Lesbian - Gay - Bisexual -Transgender - Queer/Questioning

Sexual orientation: A person's emotional, romantic, and/or sexual attraction to other people. Sexual orientation is not the same as gender identity. Who you love.

School Allies for Equity (SAFE) Network: provides school and district employees with the knowledge necessary to build comprehensive and inclusive programs of support for all students and parents including students who are LGBTQ. (Previously known as the Sexual Minority Network).

Transgender: Is a general term used to describe people whose gender identity differs from the sex they were assigned at birth.

Transition: The process through which transgender people begin to live as the gender with which they identify, rather than the one typically associated with their sex assigned at birth.

Non-Binary: People who do not feel like the word's "girl" or "boy" fits. They may feel like both or neither. They sometimes use pronouns such as they, them theirs.

Note: Using the terms "transgendered" or "transgenderers" is offensive and should be avoided.

PUBLIC/PRIVATE TRANSITIONS

Whether a student makes a public or private transition, remember that the student is undergoing an incredibly personal experience; few youth want to be the center of attention, particularly for such a personal matter. Only the student can determine their gender identity. Outside confirmation from medical or mental health professionals, or documentation of legal changes, is not required.

The school should be prepared for genuinely innocent confusion or uncertainty that may come from members of the school community and set clear boundaries about what to say to the student or their family.

Schools must also be able to respond to negative reactions to a student's public gender transition. The larger community can subject these students and their families to ignorant intrusions and even outright hostility. But schools are uniquely positioned to serve as a buffer to protect students and their families.

Many negative reactions are a result of a lack of knowledge or familiarity with the idea of transgender people, particularly transgender youth. While a public transition might make others (including you) feel uncomfortable, that discomfort does not outweigh the student's need to be safe and supported.

To assist schools in responding to questions, negative reactions or concerns to a student's public gender transition, without speaking about the specific student, school staff may use the following talking points to respond:

- *"I know this is new territory for many of us. Sometimes change is challenging. Perhaps I can share some information with you about gender identity and transgender people?"*
- *"I can assure you that the safety, well-being and education of all students are our highest priorities."*
- *"Of course I can't talk about any individual student, just as I would never talk about your child."*
- *"Schools have always worked to support the needs of individual students in a variety of ways. Like we have always done, we are committed to supporting all of our students."*
- *"Imagine if this was another type of student need that other people weren't comfortable with, how would you respond?"*

GUIDANCE TO SUPPORT TRANSGENDER AND GENDER EXPANSIVE STUDENTS

Due to the increased risks facing transgender and gender expansive students, as well as the unique circumstances that may arise when working with these students and their families, additional guidance and recommendations are being provided to help ensure these students receive the same educational opportunities as their peers.

Districts make important decisions regarding policies and practices to promote student safety and support, with equal access to all programs, services, and facilities provided by school districts. All M-DCPS students must be treated equally and fairly, free from discrimination, harassment, and bullying based on their real or perceived sexual orientation, gender identity, and gender expression. This commitment to equal and fair treatment includes transgender and gender expansive students, and applies to all District operations, programs, and activities.

These recommendations facilitate district compliance with local, state, and federal laws, while furthering the goals of cultivating and sustaining caring, supportive, respectful, and affirming learning environments that provide for the education, safety, and welfare of all students. This section provides the most common and foundational support for transgender students in schools and provide practical steps to implement them; however, it does not anticipate every situation that might occur. The unique needs and concerns of each student should be addressed on a case-by-case basis with a student-centered approach that includes the ongoing engagement of the student, the parent/guardian, as appropriate, and school personnel with a legitimate educational interest per the Family Education Rights and Privacy Act (FERPA).

The overall goal is to ensure the safety, comfort, and healthy development of all students, including transgender and gender expansive students, maximizing inclusion and social integration while minimizing exclusion and stigmatization.

Names and Pronouns: School staff should address students by their chosen name and pronouns that correspond to their gender identity, regardless of whether there has been a legal name change. Upon request, the chosen name and gender should be included in the district's information management systems, in addition to the student's legal name. District-generated student email addresses should also reflect the student's chosen name, if first names are identifiable in such addresses. These changes inform all staff, including substitute teachers, of the name and pronoun to use when addressing the student, and help avoid inadvertent disclosures.

Student Records: When requested, schools should engage in reasonable and good faith efforts to change current unofficial student records (e.g., class and team rosters, yearbooks, school newspapers, and newsletters) with the chosen name and appropriate gender markers to promote consistency among teachers, substitute teachers, school administrators, and other school staff.³ While Florida law provides a process for people to seek a legal name change, there may be extenuating circumstances that make a legal name change desired, but unattainable. Parents/guardians, or students who are age 18 or older, also have the right to seek amendment

³ C. Foley, US Department of Education, ED Facts Partner Support Center, personal communication with C. Jones in CEPI, July 10, 2015.

to the school records (per FERPA) if their records are deemed “inaccurate, misleading, or in violation of the student’s privacy.”

Privacy and Confidentiality Regarding Disclosures: Transgender and gender expansive students have the right to decide when, with whom, and to what extent to share private information. When contacting the parent/guardian of a transgender or gender expansive student, school staff should use the student’s legal name and the pronoun corresponding to the student’s assigned sex at birth, unless the student or parent/guardian has specified otherwise.

Restrooms: Students should be allowed to use the restroom in accordance with their gender identity. Alternative and non-stigmatizing options, such as an all-gender or single user restroom (e.g., staff bathroom or nurse’s office), should be made available to students who request them, but not presented as the only option. Any student who has a need or desire for increased privacy, regardless of underlying reasons, has the right to access a single-user restroom.⁴

Locker Rooms or Changing Facilities: A student should not be required to use a locker room that is incongruent with their gender identity. Locker room usage should be determined on a case-by-case basis, using the guiding principles of safety and honoring the student’s gender identity and expression. Some options include: 1) a change in schedule; 2) use of a private area in the facility (e.g., nearby restroom stall with a door, or an area separated by a curtain, a physical education instructor’s office in the locker room); and 3) use of a nearby private area (e.g., restroom, nurse’s office). Any student who has a need or desire for increased privacy, regardless of the underlying reasons, may request the options listed above.

Physical Education Classes and Intramural Sports: Students should be allowed to participate in physical education classes and intramural sports in accordance with their gender identity.

Interscholastic Sports: Students should be allowed to participate in interscholastic sports in accordance with their gender identity. Eligibility of transgender students in Florida High School Athletic Association (FLHSAA)-sponsored post-season tournaments is governed by the FLHSAA, subject to state and federal civil rights laws.

Dress Code: Students should have the right to express their gender at school, within the parameters of the school’s dress code, without discrimination or harassment. The school’s dress code should be gender-neutral and not restrict a student’s clothing choices on the basis of gender. In the event that the dress code has differing expectations or practices based on gender, students should be permitted to dress in accordance with their gender identity.

⁴ In the event that the school does not have such a facility, every effort must be made to accommodate the student’s needs

Gender-Based Activities or Practices: Districts should evaluate all gender-based programs and practices and maintain only those that have a clear and sound educational purpose. Gender-based programs and practices can have the unintentional consequence of marginalizing, stigmatizing, and excluding transgender and gender expansive students. Moreover, in some circumstances, they may violate state and federal laws. When students are separated by gender in school activities, students should be allowed to participate in accordance with their gender identity. When considering overnight accommodations, situations should be assessed on a case-by-case basis, seeking solutions that are inclusive, respectful, and acceptable to the student and do not impose an additional expense or burden on the student.

Overnight Field Trips: 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, then the transgender student should be allowed to room with peers that match their gender identity.

RESEARCH

Children typically begin expressing their gender identity between the ages of two and four years of age, around this age, transgender children often express their cross-gender identification to their family members and caregivers through behaviors like dressing in clothing and engaging in activities consistent with their gender identity. Even at that young age, transgender children are often insistent and persistent about their gender, differentiating their behavior from a phase or imaginative play.

Research indicates that LGBTQ students, nationally are targeted with physical violence and experience a hostile school environment more frequently than their non-LGBTQ peers.

According to a national report, 40 percent of transgender and nonbinary students were physically assaulted or threatened, (e.g., punched, kicked, or injured with a weapon) in their lifetime due to their gender expression.⁵

Overall, LGBTQ students who are bullied and harassed are more likely to experience depression and anxiety, feel excluded from the school community, and experience lower academic achievement and stunted educational aspirations.

Lesbian, gay, bisexual, and transgender (LGBT) students are over-represented in the unaccompanied homeless youth population, creating significant barriers to health, safety, and school success. Nationally, 38% of transgender and nonbinary students have experienced housing instability. More alarming is 28% of youth who experience housing instability reported a suicide attempt in the past year.⁵

The adverse health and educational consequences for transgender students are even greater than those for LGB students.

Not all LGBTQ students are equally affected by these risk factors. LGBTQ students with intersecting, marginalized identities (e.g., black transgender females, LGBTQ students with

⁵ The Trevor Hotline: [National Survey on LGBTQ Youth Mental Health 2020](#)

disabilities) are at greater risk of negative outcomes. Among those who seriously considered suicide, only half of Black LGBTQ youth received psychological or emotional counseling compared to 3 out of 5 LGBTQ youth overall. ⁶ M-DCPS recognizes the role that power, privilege, discrimination, and oppression play in creating disparities that exist between LGBTQ students and their peers, and that only by addressing the underlying structural inequities will the existing disparities in academic achievement and health outcomes be eliminated.

M-DCPS is committed to reducing the impact of high-risk factors and providing equitable resources and access to quality educational opportunities to meet the needs of all students.

BEST PRACTICES

M-DCPS recognizes the need for all students to have a safe and supportive school environment to progress academically and developmentally, and believes school administrators, teachers, staff, families, and students all play an important role in creating and sustaining that environment. Students must be treated equally, fairly, and be protected from discrimination based on their real or perceived sexual orientation, gender identity, and/or gender expression. As such, the M-DCPS encourages schools to:

Enforce School Board policies protecting students from harassment, violence, and discrimination based on their real or perceived sexual orientation, gender identity, and/or gender expression (e.g., enumerated nondiscrimination, anti-bullying, and anti-harassment policies). Inclusive school policies and administrative guidelines regarding implementation provide clear guidance for school administrators, teachers, support staff, families, and students to ensure all members of the school community have similar, consistent expectations for what is considered appropriate conduct in school and at school-related activities.⁷

Provide professional development opportunities on issues affecting LGBTQ students to all staff. These opportunities should extend beyond teachers, administrators, and school mental health staff, to include anyone who interacts with students (e.g., coaches, bus drivers, cafeteria workers, custodians, and administrative support staff). M-DCPS conducts introductory and advanced workshops to help educators and other school personnel understand, assess, and improve school safety and climate for all students, including those who are LGBTQ. Districts should encourage and support staff attendance at these and other role-appropriate professional development opportunities.⁸

⁶ Trevor Research Brief: [BLACK LGBTQ YOUTH MENTAL HEALTH](#)

⁷ See Miami-Dade County Public Schools Model Anti-Bullying Policy 5517.01 as an example of an enumerated policy that includes sexual orientation, gender identity and gender expression. Retrieved from <http://www.dadeschools.net/schoolboard/rules/Chapt5/5d-1.101.pdf> Retrieved from http://studentservices.dadeschools.net/bullying/pdfs/MDCPS_bullying-harass_policy.pdf

⁸ The introductory workshop (A Silent Crisis: Creating Safe Schools for Sexual Minority Youth) and advanced workshop (Planning for Action: Next Steps in Creating Safe Schools for Sexual Minority Youth) are available at regional sites throughout the states.

Support the formation of extracurricular student-led clubs, such as Gay-Straight Alliances or Gender and Sexuality Alliances (GSAs) in middle and high schools. In accordance with the Equal Access Act and School Board Policy 5730, the GSA should be afforded the same rights and privileges as other student-led extracurricular clubs in all areas, such as appointment and compensation of advisors, publicity for events, and inclusion on school websites. These groups have been shown to improve school climate for all students, regardless of sexual orientation, gender identity, or gender expression, and serve as protective factors for all students, both members and non-members. They can provide different functions, including supporting potentially isolated and at-risk LGBTQ students and their allies, educating the larger school community, and advocating for a more inclusive school climate.

Provide appropriate and meaningful family engagement and support. Since parental acceptance and family support are key determinants of LGBTQ student health, student support teams, staff, and community partners should provide resources to help families and students locate information, affirming counseling, and support services. School mental health professionals (school counselors, school social workers, and school psychologists) play an important role in helping students evaluate their academic and family situations, support systems, and resources. School mental health professionals have the necessary training to conduct mental health and substance use assessments, as needed. Schools should provide a welcoming environment for diverse families, including those that are headed by LGBTQ parents/guardians, and are encouraged to educate all families in their community about M-DCPS policies and guidelines.

Encourage respect for the human and civil rights of all people, including those who are LGBTQ, across the curriculum. Research shows that inclusion of LGBTQ topics in curricula is correlated with students feeling safer in school, regardless of sexual orientation or gender identity. Schools are encouraged to have relevant and age appropriate content throughout the curriculum, in areas such as social studies, English language arts, creative arts, and health education, including sex education.⁹

Provide developmentally appropriate information about LGBTQ issues in school libraries and in student and faculty resource centers. School libraries should include a selection of high-interest LGBTQ books and media. Computer-filtering software should not inhibit age-appropriate access to medical and social information. Schools are encouraged to review the computer-filtering protocol to ensure that students and other school community members can access information related to LGBTQ youth, local and national resources, and LGBTQ health information.

Collect and review data to identify disparities that create barriers to a safe and successful learning experience for LGBTQ students. LGBTQ students are disproportionately at risk for experiencing bullying, truancy, violence, substance use, unaccompanied homelessness, discipline referrals, and involvement with the juvenile justice system. Districts are encouraged to analyze available attendance, suspension, expulsion, bullying, student risk behavior, and school climate data to promote practices that improve LGBTQ students' attendance and participation in school.

As indicated in the Student Services School Profile, schools must designate a SAFE Network Liaison, which is willing to work with students on issues related to sexual orientation, gender identity, and gender expression. The principal will identify a student

⁹ Note that changes in materials and methods that fall under the umbrella of sex education must go through the Materials Review Committee approval process.

services staff member to serve in the role of SAFE Liaison and attend quarterly trainings to receive specialized professional development focused on building expertise in program development and delivery of comprehensive services. Program elements include: the provision of individual, group, and family counseling services; community resource information; support groups and social networking opportunities; and providing or coordinating anti-bullying prevention and educational activities. These services are provided with the focus of increasing resiliency, self-esteem, and school/social/familial supports. Students report feeling safer at school when they know where to go for information or support regarding LGBTQ issues, or when they have a trusted school staff person available. This person may assume a leadership role in working with LGBTQ students and their families, educate the school community regarding these topics, serve as the point person for the building, work closely with the district Title IX Coordinator, and be a liaison to M-DCPS.

ADDITIONAL BEST PRACTICES:

- Provide professional development for faculty and staff with a focus on increasing resiliency and school/social/familial support to transgender students.
- Include topics in faculty and staff meetings or trainings on key terms related to gender identity and expression; the development of gender identity; experiences of transgender and gender nonconforming students; ways to support transgender students and how to improve school climate for transgender and gender nonconforming students.
- Engage in regular professional development and training to build a school climate that avoids gender stereotyping and affirms the gender of all children.
- Provide a safe space for the student to disclose their gender identity to the administration, counselor or unsupportive parents,
- Provide counseling services for the whole family, connect them to local resources or other parents of transgender or gender-expansive youth.
- Use a Student Gender Support Plan to systematically address various aspects of a transgender or gender expansive student's experiences at school. It is designed to ensure that the school, student and parents (when appropriate) are all on the same page and have shared expectations about how the specific, gender-based needs of the student will be met.

HELPFUL DOCUMENTS

School Allies for Equity (SAFE) Network

Gender Support Plan

(formerly known as the Sexual Minority Network)

1. Identify student's preferred name and pronoun.

Parent/Guardian Involvement-

2. Are guardians of this student aware and supportive of their child's gender transition?

Confidentiality, Privacy and Disclosure-

3. How public or private will the information about this student's gender be?

If student has asserted a degree of privacy, what are the expectations of the institution if that privacy is compromised? How will a teacher/staff member respond to questions about the student's gender from, other students, staff members, or parents/community?

Student Safety

4. Who will be the student's "go to adult on campus"?
5. If the person is not available who should the student go to?
6. What process will be in place for frequent monitoring of the student and/or their family?
7. What are the expectations in the event the student is feeling unsafe and how will student seek for assistance?

Names, Pronouns and Student Records

8. Name and pronouns to be used when referring to the student.
9. What adjustments can be made to protect the student's privacy?
10. Who will be the point person to ensure these adjustment are made and communicated as needed?
11. Who will handle instances when the incorrect name and pronouns are used?
12. How will the student's privacy be accounted for and maintained in the following situations or contexts:
 - During registration
 - Completing enrollment
 - With substitute teachers
 - Standardized tests

- School photos
- IEP/Other Services
- Student Cumulative File
- After-school programs
- Lunch lines
- Taking attendance
- Teacher gradebook
- Official school-home communication
- Unofficial school-home communication
- Outside district personnel providers
- Summons to the office
- Yearbook
- Student ID
- Distribution of texts/or other school supplies
- Assignment of an IT account
- PA announcement

13. If the student’s guardians are not aware and supportive of the child’s gender status, how will school-home communication be handled?

14. What are some other ways the school needs to anticipate information about this student’s preferred name and gender marker potentially being comprised? How will these be handled?

Use of Facilities

15. Student will use the following restroom(s) on campus.

16. Student will change clothes in the following place.

17. If the student has concerns about facilities, who will be the contact person?

18. What are the expectations regarding use of facilities for any class trip?

19. What are the expectations regarding rooming for any overnight trip?

20. Are there any questions or concerns about the student’s access to facilities?

Extracurricular Activities

21. Does the student participate in an after-school program?

22. What steps will be necessary for supporting the student there?

23. In what extracurricular program will the student be participating (sports, theatre, clubs, etc.)?
24. What steps will be taken to support the student there?

Other Considerations

25. Are there any specific social dynamics with other students, families or staff members that need to be discussed or accounted for?
26. Does the student have any sibling(s) at school?
27. Are there lessons, units, content or other activities coming up this year to consider (growth and development, social justice units, name projects, dance instruction, Pride events, school dances, etc.)?
28. What training will the school engage in to build capacity for working with gender-expansive students?

Support Plan Review and Revision

29. How will this plan be monitored over time?
30. What will be the process should the student, family, or school wish to revise any aspect of this plan?
31. What are the specific follow-ups or action items emerging from this meeting and who is responsible for them?

These questions will help implement a comprehensive and supportive environment for transgender and gender non-conforming youth. This document should be used as a guide to help staff identify issues that need to be addressed. Should you need to document any part of this plan, please do so on a Student Case Management Student Services Form (FM-3673), this plan is not to be placed in a student's cumulative file, as these files are accessible to other individuals.

* Information above was extracted from Gender Spectrum's Gender Support Plan 2016.

*Additional Resources can be found by visiting the [SAFE Network Website](#).

* Questions regarding support should be directed to Gladys Duran, LCSW at durang@dadeschools.net or (305) 995-1778.

Revised: 07/2020

