



Guidelines to Support Transgender and Gender Expansive Students

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Introduction

These guidelines set forth protocol and describe best practices for supporting transgender and gender expansive students. These guidelines apply to New York City Department of Education (DOE) school-based and central staff.



Schools must be proactive in creating a culture and practices that respect and value all students and foster understanding of gender identity and expression within the school community. Research shows that transgender and gender expansive students are at higher risk for being marginalized, victimized, or bullied. Creating an inclusive environment will mitigate the bias, misunderstanding, and/or a lack of knowledge about transgender and gender expansive student's experiences.

Every student is unique and these guidelines do not anticipate every situation that may occur. Schools must assess the needs of each student on an individual basis to ensure that they support all students.

Terminology

Transgender and gender expansive youth use different words to describe their lives and experiences. Some examples include: trans, transgender, genderqueer, non-binary, gender fluid, two-spirit, trans boy, and trans girl. The language individuals use may differ based on factors such as geographic location, race, ethnicity, age, country of origin, culture, etc., and may also change over time.

The individual student is the person who determines their own identity. School staff must be sensitive to, and use, the terminology that supports and respects the wishes of the individual student. Below is a non-exhaustive list of such terminology.

Sex Assigned at Birth: A designation a person is assigned at birth and which is recorded on an infant's birth certificate, if such a certificate exists. A New York City birth certificate can include M (male), F (female), or X (non-binary, gender expansive, gender-neutral, etc.).

Gender Identity: A person's inner sense of their gender. Gender identity can exist on a spectrum and some individuals may feel entirely male, entirely female, or somewhere between. Some individuals do not have a gender and may describe themselves as *agender* or "without gender." An individual's gender identity may be *fluid* or may change over time.

Cisgender: An adjective describing a person whose gender identity is the same as their assigned sex at birth. For example, an individual who was assigned female at birth and whose gender identity is female.

Transgender: Describes a person whose gender identity and/or gender expression is different from their assigned sex at birth. For example, an individual who was assigned female at birth and whose gender identity is male.



Gender Expression: The way a person expresses gender, such as behavior, clothing, hairstyles, name, pronouns, activities, or mannerisms. Gender expression can vary depending on one's culture as well as changes in social norms and expectations, such as shifts in clothing and hairstyles.

Gender Expansive: An adjective describing a person whose gender expression does not conform to social expectations or stereotypes. Also known as gender non-conforming, gender variant, or gender creative.

Intersex: A term used for an individual born with a combination of male and female biological characteristics, such as chromosomes, genitals, hormones, etc.


Non-binary: A person who identifies as neither male nor female. These individuals may go by they/them or ze/hir pronouns, or another gender-neutral pronoun.

Sexual Orientation: an individual's actual or perceived romantic, physical or sexual attraction to other persons, or lack thereof, based on gender. A continuum of sexual orientation exists and includes, but is not limited to, heterosexuality, homosexuality, bisexuality, asexuality and pansexuality. Sexual orientation is not the same as gender identity.

See Chancellor's Regulation [A-830](#) and [A-832](#) for definitions of the categories of unlawful discrimination prohibited under those regulations.

Supporting Students

Schools have a unique and powerful opportunity to educate the entire school community on gender diversity and to support transgender and gender expansive students. Schools should proactively support gender diversity at their school. All students have the right to have their gender, gender identity, and gender expression recognized and respected by their school community.

The experience of gender transition may focus only on social transition. A social transition is when students begin to live as their gender consistent with their gender identity, and this process may or may not involve changes in name, pronouns, and appearance (including clothing and hairstyle). Not all transitions are binary or involve categories of male or female. Some students may be non-binary, agender,  or gender expansive.

Waiting until a particular student begins a gender transition to start educating the school community about gender diversity can place the burden of community education on that student. All schools have transgender and gender expansive students—the goal is for these students to feel comfortable enough at school to be open about who they are.

Some youth, generally who are close to reaching puberty, or after starting puberty, may have medical treatments to reinforce their social transition. These treatments may include hormone suppressants, cross-gender hormone therapy, and, for a small number of young people, a range of gender-affirming surgeries. An individual's decision about whether and how to undergo gender transition is personal and will depend on their unique circumstances.

Sometimes transgender and gender expansive students begin their transition at school without a parent's knowledge. The term "parent," whenever used in these guidelines, means the student's parent(s) or guardian(s), or any person(s) in a parental or custodial relationship to the student. Other times, a parent will approach a school about their child's transition. School staff must keep in mind that transgender and gender expansive youth may experience significant family challenges. Some transgender students have not talked to their parents about their gender identity and/or do not want their parents to know about their transgender status or gender expansive identity based on safety concerns or concerns about a lack of acceptance. These situations must be addressed on a case-by-case basis, accounting for the student's age and maturity, and will require schools to balance the goal of supporting the student with the requirement that parents be kept informed about their children. The most important consideration in such situations is the health and safety of the student. If school staff is unsure of the most appropriate course of action, they should contact their Senior Field Counsel.

The student is in charge of their gender transition and the school's role is to provide support. Where appropriate, the school administrator or another trusted adult in the school can meet with the student regarding their transition. The parent may be at this meeting, except where there are safety or other concerns as set forth above. At this meeting, the school should:

- discuss the school's role in supporting the student's transition;
- make resources available to the student and parent(s) to address questions or concerns;
- prepare for a formal gender transition at school;
- discuss, as appropriate, the timing of the transition, planning responses to questions from school staff and students, changing the student's information in school records, and any other relevant matters; and
- put in place measures for supporting the student and creating a sensitive, inclusive environment at school.

Schools should be vigilant about the potential for any bullying or harassment. DOE policy requires schools to work to prevent bullying and harassment and respond promptly to address allegations. For more information, see Chancellor’s Regulations [A-830](#), [A-831](#), and [A-832](#) and [A-830](#).

Names and Pronouns

Every student is entitled to be addressed by the name and pronoun that correspond to the student’s gender identity that they assert at school. Students are not required to obtain parental consent or a court-ordered name and/or gender change before being addressed by the name and pronoun that they choose. The principal or their designee, in consultation with the student, is responsible for ensuring that teachers and other school staff are aware of and honor a student’s request to be referred to by the name and pronoun that correspond to their gender identity. It is important to note that some students may use gender-neutral pronouns such as they, ze, or other pronouns. It is the school’s role to support the student.

All school staff members and students must refer to students by their chosen names and pronouns and schools should create opportunities to confirm the correct information with all their students in a manner that respects student privacy. School staff are responsible for ensuring students are referred to correctly.

Consistent with the DOE Style Guide, schools should use gender-neutral language in letters/notices and emails, lessons, websites, and other written materials to the class or school community (e.g., use “dear students instead of “dear boys and girls,” and use “each student should remember to collect their belongings” instead of “his/her” belongings). As noted above, in student-specific communications and materials, a student has the right to be referred to by the name and pronoun that correspond to the gender identity that they assert at school.

Intentionally referring to a student, verbally or in writing, by a pronoun inconsistent with the student’s gender identity or by a name other than the student’s chosen name is unacceptable conduct and may constitute a violation of Chancellor’s Regulation A-832, A-830, or A-421.

Student Records

Each school is required to maintain records for each student.

Non-Permanent Records

No documentation is required for a student or parent/guardian to update a name (to reflect the student's chosen first and/or last name) or gender marker in records that are not part of a student's permanent file, such as middle school diplomas, guidance logs, graduation programs, sporting rosters, and yearbooks. For students participating in Public Schools Athletic League activities, they can update their roster by speaking to their athletic director, who will email LGBTQ@schools.nyc.gov for support in making this change.

School IDs

A student's school ID card is not a permanent record and must reflect the student's chosen name. Student IDs must not have gender markers on them.

Note: Student ID cards that are printed in a chosen name where there has been no legal name change cannot be used for a student to obtain their state-issued driver's license or permit. A student ID in a chosen name also cannot be used as proof of ID for an IDNYC card or other forms of government ID.

Permanent Records

Name and Gender Change Request Form  available in:

[English](#) [Español](#) [中文](#) [বাংলা](#) [РУССКИЙ](#) [اُردُو](#) [عربي](#) [Kreyòl](#) [한국어](#) [Français](#)
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Privacy

All students may discuss and express their gender openly and decide when, with whom, and how much of their private information to share with others.

In accordance with the Family Education Rights and Privacy Act (FERPA) and Chancellor's Regulation [A-820](#) (Confidentiality and Release of Student Records; Records Retention), only NYCDOE staff with a legitimate educational interest are permitted to access a student's education records. Schools may not share information contained in, learned from, or to be recorded in a student's education records, including information about a student's transgender status or gender expansive identity, except in very limited circumstances. These circumstances include the following:

- where the parent or eligible student has provided informed written consent;
 - In accordance with FERPA, an "eligible student" for these purposes means "a student who has reached 18 years of age or is attending an institution of postsecondary education."
- in a health or safety emergency, where disclosure is necessary to protect the health or safety of the student or other individuals;
- in response to a valid court order or lawfully issued subpoena requesting such information; or
- when otherwise authorized by FERPA.

Harassment and Discrimination

Student-on-Student Harassment, Bullying, Discrimination and/or Intimidation: Chancellor's Regulation A-832

Any staff member who witnesses student-on-student harassment, discrimination, bullying, and/or intimidation or who has knowledge or information or receives notice that a student may have been the victim of such behavior by another student is required to immediately report the alleged act to the Respect for All (RFA) liaison(s) or to the principal/designee within one school day and file a written report with the RFA liaison or to the principal/designee no later than two school days after making the oral report.

Students can file a complaint of student-on-student harassment, discrimination, bullying, and/or intimidation by telling any school staff member, emailing respectforall@schools.nyc.gov, calling 311, calling 718-935-2288, or [submitting an online form](#). When such a complaint is filed, the school must promptly investigate and take follow-up action as appropriate as set forth in [Chancellor's Regulation A-832](#).

Chancellor's Regulation A-832 provides additional information on how to handle student-on-student harassment, discrimination, bullying, and/or intimidation. It is important to note that when supporting a transgender or gender expansive student who is the alleged victim of such an incident, the student may express concerns about their parent knowing about their gender identity. These situations should be addressed on a case-by-case basis as set forth above. It is also important to maintain the transgender or gender expansive student's privacy when notifying the parent of the accused student of the allegations.

Staff-on-Student Harassment and/or Discrimination: Chancellor's Regulation A-830

Chancellor's Regulation A-830 contains DOE's Anti-Discrimination Policy and provides information regarding allegations of harassment or discrimination by staff. A student or parent may make a report directly to the Office of Equal Opportunity using the online form at <https://www.nycenet.edu/oeo> or using the other methods described in the regulation. Any staff member who witnesses another DOE staff member discriminate against or harass a student on the basis of any protected class, or who has knowledge that a student may have been the victim of such behavior, is required to orally report this alleged incident to the principal within one school day. Complaints will be investigated and school staff are responsible for taking appropriate corrective action where warranted.

Other Policies

Other Chancellor's Regulations that address discrimination or harassment by students include Chancellor's Regulation [A-831](#) (Student-to-Student Sexual Harassment), and that address prohibited conduct by staff include Chancellor's Regulation [A-420](#) (Corporal Punishment), and Chancellor's Regulation [A-421](#) (Pupil Behavior and Discipline - Verbal Abuse).

Medical Records

All school-based health staff, including nurses, doctors, or other school-based health center staff, must use the name and pronoun that reflect a student's gender identity. In accordance with applicable law and regulations, nurses are required to keep patient records that contain all pertinent information which identifies a patient and that accurately document clinical information relating to their patients. They must keep such records confidential.

A school nurse must use the student's chosen name and pronouns. The school nurse should use the student's legal name and gender marker designated on government ID only when necessary for the student to receive appropriate care and to enable the school nurse to coordinate care for the student with other health care providers or licensed professionals, as well as to file health insurance claims.



If a student participates in Public Schools Athletic League activities, their coach or athletic director may also be required to keep records that contain pertinent information which identifies the student's legal name and other information. They must also keep these records confidential.

Sports and Physical Education

DOE sports and physical education programs, including physical education classes and school teams, are educational opportunities. Participation in these activities is integral to developing a student's fitness and health, self-esteem, and general well-being. Transgender and gender expansive students must be given the same opportunities to participate in physical education as all other students.

Generally, a student must be permitted to participate in physical education, intramural sports, and competitive athletic activities and contact sports in accordance with the student's gender identity asserted at school.

Specific requirements apply to wrestling and mixed competition. Contact lgbtq@schools.nyc.gov for more information.

Restrooms and Locker Rooms

Transgender and gender expansive students must be provided access to facilities (restrooms, locker rooms, or changing rooms) consistent with their gender identity asserted at school. A transgender or gender expansive student may not be required to use an alternative facility (e.g., a single-occupancy restroom instead of the locker room) or a facility that conflicts with the student's gender identity asserted at school. For students who are gender fluid, the school should work with the student to facilitate restroom and locker room access that affirms their identity.

Schools must provide reasonable alternative arrangements for any student who expresses a need or desire for increased privacy. Reasonable alternative arrangements may include a single occupancy restroom, use of a private area, or a separate changing schedule. Alternative arrangements must be made available to students who request them, but must never be forced upon students, nor presented as the only option. Furthermore, any arrangements must be provided in a non-stigmatizing manner that protects student privacy and is not marginalizing or disruptive for the student.



Gender Inclusion in Other Areas

Gender-based policies, rules, and practices can have the effect of marginalizing, stigmatizing, stereotyping, and excluding students, whether or not the students are transgender or gender expansive. For these reasons, schools should review such policies, rules, and practices, and eliminate any that do not serve a clear pedagogical purpose. Examples may include such practices as gender-based graduation gowns, lines, and attire for yearbook pictures.

Students must be permitted to participate in all school activities (for example, overnight field trips) in accordance with their gender identity asserted at school. Requests for arrangements to address privacy concerns will be addressed on a case-by-case basis.

Students are eligible for admission to single-gender schools based on gender identity asserted at school. If a student's gender marker in ATS has not been changed, the student's school counselor should work with the Office of Student Enrollment and Senior Field Counsel to ensure that the student is able to apply to all appropriate schools.

Curriculum

Curriculum provides an opportunity for students to learn about the experiences of others. Schools should ensure curricula are inclusive, for example, by incorporating identity in history, reading books by diverse authors, and ensuring sexual health curriculum is inclusive of all identities.

DOE schools provide instruction that promotes a school environment free from harassment, bullying, and/or discrimination (including based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity, and/or sex) and that raises students' awareness of and sensitivity to these issues.

Schools should also be sure to follow any applicable scope and sequence guides that align to New York City and New York State benchmarks for subject areas. For example, the Grades K-8 Social Studies Scope and Sequence include curricula pertaining to "[k]ey groups (African Americans, women, Native Americans, individuals with disabilities, farmworkers, LGBT [(lesbian, gay, bisexual, transgender)] community)" when talking about civil rights. It is important to note, though, that in every academic discipline there are opportunities and avenues for diverse identities to be included.

Notification to Staff and Students

Principals are responsible for ensuring that school staff, students, and families are familiar with these guidelines. Schools should also reinforce during their annual orientation sessions for staff and students that transgender and gender expansive students are covered by Chancellor’s Regulations A-831 and A-832. Schools may also link to the regulations from their website or include them in their student or family handbook.

Questions

Questions about these guidelines should be directed to lgbtq@schools.nyc.gov.

School-Based Resources

Schools have many ways to ensure that students feel affirmed in their school regardless of sexual orientation and gender identity/expression. For more information on school-based supports, visit our [LGBTQ Supports](#) page

Related Links

[**Guidelines to Support Transgender and Gender Expansive Students**](#)

[**Guidelines on Gender Inclusion**](#)

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