

## Christina School District Policy

Section 2000:	Students
Title:	Transgender and Gender Diverse Students
Policy #:	02.27
Status:	Active
Last Revised:	June 6, 2023
Previously Revised:	January 12, 2021

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### I. **PURPOSE**

The programs, activities, and employment practices of the Christina School District must be free from discrimination based on sex, sexual orientation, or gender identity.

Accordingly, this policy is intended to articulate the mandate of the schools to create a culture in which transgender and gender diverse students feel safe, supported, and fully included, and to meet each school's obligation to provide equal educational opportunities for all students. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender diverse student while maximizing the student's social integration and minimizing stigmatization of the student.

### II. **ISSUE**

The Christina School Board recognizes that students have a choice as to whether or not to make public or keep private their gender status or presentation at school, and that it is the right of that student to have their choice respected. Further, transgender and gender diverse students shall receive the same opportunities to participate fully in the continuum of their immersive educational experience in Christina Schools. These opportunities include but are not limited to: access to curriculum, social events, clubs, athletic participation, and all other basic curricular and extracurricular activities as enjoyed by all students.

### III. **POLICY**

- A. Information about a student's transgender status, legal name, or gender assigned at birth may constitute confidential information. School personnel shall not disclose information that may reveal a student's gender status or presentation to others, including students and other school personnel, unless legally required to do so or unless the student has authorized such disclosure.
- B. Transgender and gender diverse students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much to share private information. When contacting the parent or guardian of a transgender or gender diverse student, school personnel 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.
- C. Official Records: The Christina School District is required to maintain a mandatory permanent pupil record ("official record") that includes a student's legal name and gender assigned at birth. However, the District is not required to use a student's legal

name and gender assigned at birth on other school records or documents. The District will change a student's official record to reflect a change in legal name or gender upon receipt of proper documentation that such change has been made pursuant to a court order. In situations where school staff or administrators are required by law to use or to report a transgender student's legal name or gender assigned at birth, school staff and administrators shall adopt practices to avoid the inadvertent disclosure of this information.

- D. Names/Pronouns: A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity as consistently asserted at school. A court-ordered name or gender change is not required, and the student need not change his or her official records.
- E. Gender-Segregated Activities: In situations where students are segregated by gender, such as for health education classes, a student should be included in the group that corresponds to the student's gender identity as consistently asserted at school.
- F. Restroom Accessibility: Restroom accessibility shall be addressed on a case- by-case basis, conferring with the gender diverse student. A student shall have the right to access the restroom that corresponds to the student's gender identity consistently asserted at school. Any student who has a need or desire for increased privacy shall be provided access to a single stall restroom or to the School Nurse's or Health Center's restroom or another location that confers privacy, but no student shall be required to use such a restroom.
- G. Locker Room Accessibility: The use of locker rooms by transgender or gender diverse students shall also be assessed on a case-by-case basis, conferring with the student. Transgender or gender diverse students shall have access to the locker room that corresponds to the student's gender identity consistently asserted at school. Any student who has a need or desire for increased privacy shall be provided with a reasonable alternative changing area such as the use of a private area or with a separate changing schedule (e.g., using the locker room that corresponds to the student's consistently asserted gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student's ability to keep the student's gender status confidential. A transgender or gender-diverse student shall not be required to use a locker room that conflicts with the student's consistently asserted gender identity.
- H. Physical Education Classes & Intramural Sports: A transgender or gender diverse student shall be permitted to participate in physical education classes and intramural sports in a manner consistent with the student's gender identity as consistently asserted at school.
- I. Interscholastic Competitive Sports Teams: A transgender or gender diverse student shall be permitted to participate in interscholastic athletics in a manner consistent with the student's gender identity as asserted at school and when the student meets the minimum standards designated by the DIAA Board of Directors (Reference Delaware Regulations: Administrative Code: Title 143 : 1000, 1099 DIAA High School Interscholastic Athletics, 5.1.4.1). The CSD Superintendent or designee(s) shall communicate these minimum standards as designated by the DIAA Board of Directors, including if and when such standards change, to CSD Middle and High Schools to inform athletes and coaches of eligibility requirements.
- J. Clothing: All students have the right to dress in a manner consistent with that student's gender identity or gender expression.
- K. Discrimination/Harassment: Complaints alleging discrimination or harassment based on a person's actual or perceived transgender or gender diverse status are to be handled in the same manner as other discrimination or harassment complaints.

#### **IV. REVIEW AND REPORTING**

This policy shall be reviewed according to policy review guidelines established by the Board.

**V. HISTORY****VI. REFERENCES****A. Definitions:**

The definitions provided here are not intended to label students but rather are intended to assist in understanding this policy and the legal obligations of District staff. Students might or might not use these terms.

- "Gender identity" is a person's deeply held sense or psychological knowledge of the person's own gender, regardless of the gender assigned at birth.
- "Transgender" describes a person whose gender identity is different from the gender assigned at birth.
- "Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.
- "Gender diverse" describes people whose gender expression differs from stereotypical expectations.

**B. References:**

- SB 97, 147th General Assembly.  
<https://legis.delaware.gov/BillDetail?legislationId=23264>
- DIAA Manual on High School Interscholastic Athletics, Policy 5.1.4.1. (<https://regulations.delaware.gov/AdminCode/title14/1000/1009.shtml>)
- DIAA FAQs  
<https://www.doe.k12.de.us/cms/lib/DE01922744/Centricity/Domain/348/FAQs%201009%204-23-19.pdf>
- New Jersey School Boards Association, "Gender Identity and School Law." Volume 46, Issue 3.  
<https://www.njsba.org/news-publications/school-leader/novemberdecember-2015-volume-46-3/gender-identity-and-school-law/>
- GLSEN. "Model Local Education Agency Policy on Transgender and Nonbinary Students." <https://www.glsen.org/article/transgender-model-district-policy>
- U.S. Department of Education. "Examples of Policies and Emerging Practices for Supporting Transgender Students"  
<https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>
- National School Boards Association "Transgender Students in Schools"  
<https://www.nsba.org/nsba-fags-transgender-students-schools>
- Source: Delaware Regulations: Administrative Code: Title 143 : 1000, 1099 DIAA High School Interscholastic Athletics, 5.1.4.1.
- <https://www.glsen.org/>