



### **Transgender and Gender Non-Conforming Youth Policy**

The purpose of this policy is to foster an educational environment that is safe and free from discrimination for all students, regardless of sex, sexual orientation, gender identity, or gender expression; to ensure that every student has equal access to all components of their educational program; and to facilitate compliance with bullying, harassment and discrimination laws.

Education Code Section 220 provides that no person shall be subject to discrimination on the basis of gender, gender identity, gender expression, sexual orientation in any program or activity conducted by an educational institution that receives, or benefits from, State financial assistance. Section 201(a)(b) of the Education Code further states that all pupils have the right to participate fully in the educational process, free from discrimination and harassment, and that public schools have an affirmative obligation to combat racism, sexism and other forms of bias, and a responsibility to provide equal educational opportunity.

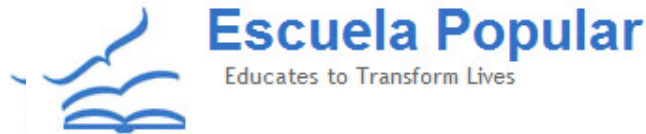
California Code of Regulations Section 4900(a) similarly provides that “No person shall be excluded from participation in or denied the benefits of any local agency's program or activity on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity conducted by an ‘educational institution’ or any other ‘local agency’ that receives or benefits from any state financial assistance.”

This policy sets out guidelines for Escuela Popular staff to address the needs of transgender and gender nonconforming students and clarifies how state law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such students. This policy does not anticipate every situation that might occur with respect to transgender or gender nonconforming students. The needs of each transgender or gender nonconforming student must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender nonconforming student while maximizing the student’s social integration and minimizing stigmatization of the student.

#### **SUMMARY**

California State law and Escuela Popular Board Policy require that all programs and activities, as well as employment practices, be conducted without discrimination based on sex, sexual orientation, gender, gender identity, or gender expression or perceived gender identity, or gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

In order maintain the student’s privacy, Escuela Popular will implement State law and Board policy in the following areas listed below. Guidelines and procedures are provided in Administrative Guidelines.



- Official Records – Escuela Popular will change a student’s official record to reflect a change in legal name or legal gender upon receipt of documentation that such change has been made pursuant to a court order.
- Names/Pronouns - A student has the right to be addressed by a name and pronoun that corresponds to the student’s gender identity.
- Gender-Segregated Activities - Students should be included in the group that corresponds to their gender identity.
- Student Information System - School personnel will use a student’s preferred name and pronouns consistent with the student’s gender identity.
- Restroom Accessibility - Students shall have access to the restroom that corresponds to their gender identity consistently asserted at school.
- Locker Room Accessibility – Schools may provide access to the locker room that corresponds to their gender identity consistently asserted at school
- Physical Education Classes & Intramural Sports - Students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity.
- Interscholastic Competitive Sports Teams - Students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity.
- Dress Codes - Students have the right to dress in a manner consistent with their gender identity or gender expression in accordance with dress code policies and regulations.
- Transferring a Student to Another School - Transfers should not be a school’s first response to harassment and should be considered only when necessary for the protection or personal welfare of the student.

Escuela Popular must ensure that transgender and gender non-conforming students are provided with a safe school environment that is free from discrimination, harassment and bullying. This includes ensuring that any incident of discrimination, harassment, bullying and/or threats of violence is given immediate attention.

Complaints alleging discrimination, harassment or bullying based on a student’s gender identity, gender expression or the perception of one or more of such characteristics are to be handled in the manner as other discrimination/harassment complaints in accordance with State law and Board Policies.