

Cherry Hill Public Schools

5756 TRANSGENDER STUDENTS

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board adopts this Policy to ensure all students, including transgender students, have equal educational opportunities and equal access to the school district's educational programs and activities. The Board of Education, administration, and all school staff members will comply with Federal and State laws and regulations regarding transgender students and no student shall be subjected to discrimination on the basis of gender identity or expression.

For the purposes of this Policy:

1. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
2. "Gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.
3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.
4. "Gender non-conforming" describes a student whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.
5. "Transgender" describes students whose gender identity is different from their gender assigned at birth.

The Board of Education believes the responsibility for determining a student's gender identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender identity, or any other evidence that the gender identity is sincerely held as a part of the student's core identity. The Board of Education will not question or disregard the assertion of a student's gender identity. However, the Board authorizes the Superintendent or designee to question a student's asserted gender identity when there is a credible basis for believing the student's gender identity is being asserted for some improper purpose.

Confirmation of a student's asserted gender identity must include a letter from a parent to the Superintendent of Schools indicating the student is gender non-conforming. In the event the parent does not consent to the student's gender identity, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity shall be addressed by the school district.

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The Board recognizes school-related issues regarding transgender students will vary on a case-by-case basis. Therefore, the Superintendent of Schools or designee will meet with the parent and the student to discuss school-related issues. The issues to be discussed shall include, but are not limited to, the following:

1. Names/Pronouns – The school district will honor the request of the parent and student to have the student addressed by a name or pronoun different from those associated with the student’s gender at birth. **Transgender students will be addressed at school by the name and pronoun preferred by the student that corresponds to the student’s gender identity, regardless of whether a legal name change or a change in official school records has occurred.**
2. Student Records – The school district’s official, permanent student record will be maintained in accordance with Federal law, State statutes, and administrative code and will indicate the legal name and gender appearing on the student’s birth certificate, unless there is a legal name change. However, the school district will use the name requested by the parent and student in other school-related documents to include, but not be limited to, student identification cards, library cards, school photographs, grade books, posted lists of student names, and any other places where students’ names are commonly written.
3. Restrooms – Transgender students shall have access to the restroom that corresponds to their gender identity. The use of a “gender neutral” restroom, if available, shall be a matter of choice by a transgender student. **If “gender neutral” bathrooms are not available, the district will provide reasonable alternative arrangements to ensure a student’s safety and comfort. Transgender students shall not be required to use a restroom that conflicts with the student’s gender identity.**
4. Locker Rooms – Transgender students shall have access to locker room facilities that correspond to their gender identity. The school district will make available a reasonable alternative changing area for a transgender student, if requested. **Transgender students shall not be required to use a locker room that conflicts with the student’s gender identity.**
5. Physical Education Classes - Transgender students shall be permitted to participate in physical education classes in a manner consistent with their gender identity.
6. Intramurals Programs – A transgender student’s participation in the school district’s intramural athletic programs shall be in accordance with the eligibility requirements for participation in interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.
7. Interscholastic Athletics – A transgender student’s participation in the school district’s interscholastic athletic programs shall be in accordance with eligibility requirements for participation in interscholastic athletics as determined by the New Jersey State Interscholastic Athletic Association.

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8. Dress Codes – Transgender students shall comply with the dress code requirements that correspond to their gender identity.

In the event a student no longer identifies with a previously asserted gender other than their gender at birth, a parent of the student must submit a letter to the Superintendent of Schools indicating the student is no longer gender non-conforming. The Superintendent or designee will meet with the parent and the student to discuss the transition of the student from gender non-conforming to gender conforming. In the event the parent does not consent to the student’s assertion the student is no longer gender non-conforming, the Superintendent or designee will meet with the parent and the student to determine how the student’s gender identity should be addressed by the school district.

The school district and school staff members will ensure the privacy of any student’s transgender status and will not disclose or acknowledge a student’s transgender status unless required to in accordance with any Federal law, State statute, administrative code, or if the parent and student have authorized such disclosure.

N.J.S.A. 10:5-1 et seq.

Title IX, 20 U.S.C. Section 1681

P.L. 2017, Chapter 137