

[See POLICY ALERT Nos. 204, 206 and 217]

5756 TRANSGENDER STUDENTS

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students, including transgender, gender nonconforming, and/or gender expansive students. In furthering this goal, the Board adopts this Policy to ensure all students, including transgender students, gender nonconforming, and/or gender expansive 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, gender nonconforming, and/or gender expansive students and no student shall be subjected to discrimination on the basis of gender identity or expression (N.J.S.A. 2C:16-1, N.J.S.A. 10:1 *et seq.*, N.J.S.A.18A:37-13 through 17, and Title IX, 20 U.S.C. § 1681).

This policy establishes the Board's expectations for addressing the needs of transgender, gender nonconforming, and gender expansive students in compliance with applicable anti-discrimination laws. This policy does not anticipate every situation that might occur with respect to transgender, gender nonconforming and gender expansive students, and the needs of each student must be addressed on a case-by-case basis. The school shall customize support to optimize each student's equal access to the District's educational programs and activities. In all cases, the goal of the district, the school and school personnel shall be to ensure the safety, comfort, privacy, and healthy development of all students, including transgender, gender nonconforming, and/or gender expansive students.

For the purposes of this Policy, the following definitions are included to assist staff with the policy implementation. Further, school staff shall understand that may or may not use these terms to describe themselves:

1. "Gender expression" refers to a person's gender related appearance and behavior "whether or not stereotypically associated with the person's assigned sex at birth" (N.J.S.A. 10:5-5(5)(rr)). It is 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 nonconforming” refers to displaying gender traits that are not consistent with stereotypical characteristics associated with one’s sex assigned at birth, one’s gender assigned at birth, or others’ perceptions of that sex or gender. This term can be used to describe people whose gender expression differs from stereotypical expectations about how boys and girls are “supposed to” look or act. It does not necessarily mean that a student is transgender.
4. “Transgender” is a description, not an identity and therefore should be used as an adjective not a noun. It describes students whose gender identity is different from their gender assigned at birth.
5. “Sex Assigned at Birth” refers to the sex designation recorded on an individual’s birth certificate upon the initial issuance of that certificate, should such a record be provided at birth.
6. “Transboy” refers to a student with a sex assigned at birth of female identifying as male.
7. “Transgirl” refers to a student with a sex assigned at birth as male identifying as female.
8. “Sexual Orientation” refers to a person’s romantic or sexual attraction to people of another and/or the same gender (N.J.S.A. 10:1 et seq.). Common terms used to describe sexual orientation include, but are not limited to heterosexual, lesbian, gay, and bisexual. Sexual orientation and gender identity are different. Transgender students may identify as heterosexual, gay, lesbian, or bisexual.
9. “LGBTQ” refers to an acronym that stands for “lesbian, gay, bisexual, transgender, and questioning.” The “Q” may also stand for “queer,” a term that is historically derogatory, but which is generally considered a positive term by LGBTQ youth.
10. “Gender Expansive”, “Gender Diverse”, “Gender fluid”, “Gender Nonbinary”, “Gender queer” refer to terms that convey a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. These terms may be used by those who identify with neither, both, or a combination of genders. For example, students who identify as gender queer or gender fluid might not identify as boys or girls; for these students, the nonbinary gender identity functions as their gender identity.
11. “Transition” or “Gender Confirming Transition” refers to the process and experience in which a transgender person recognizes that their authentic gender identity is not the same as the gender they were assigned at birth, and develops a more affirming gender



expression. Transition is a complex personal process that is different for each individual, may or may not involve social, legal, physical, and/or medical changes, and may take place rapidly or over a number of years.

*The terminology and language used to describe transgender individuals may differ based on varied factors such as geographic location, race, ethnicity, age, country of origin, etc. and may change over time.

Determining Gender Identity

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 and 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. In the event that this situation occurs, the Superintendent/designee shall provide the student an opportunity to present documentation or other information demonstrating the sincerity of their gender identity.

There is no threshold medical or mental health diagnosis or treatment requirement that any student must meet in order to have their gender identity recognized and respected by the district, school, or school personnel. The Board recognizes that for many transgender students, the experience of gender transition involves no medical intervention and that many transgender youth will transition through a process referred to as "social transition," whereby they develop a gender expression that affirms their gender identity.

Similarly, a student is not required to have obtained a court-ordered name or gender change, or to provide other legal documentation of a sex or gender other than that assigned at birth, in order to have their requested name and gender identity recognized and respected by the district, any school, or by school personnel.

Gender Identity Support Planning

The Board recognizes that some transgender students have not disclosed their transgender status to their parents. The Board further recognizes that gender transition is a process that may proceed in stages over a period of time. The Board respects the privacy of the family, encourages educators and administrators to support healthy communication within the family, and discourages educators



and administrators from putting students at risk by interfering in the private communications that occur within a family.

Upon student and/or parent request, and with student permission, a support plan may be developed in collaboration between the student, parent, and school. This collaborative planning process, if applicable, will include the student, the principal/designee, the school counselor, and other school personnel with whom the student is comfortable. If the parent of the student is aware of the student's transgender status, the parent may participate in the planning with student permission. The support plan may include, but not necessarily be limited to, the following:

- Accommodations regarding the use of restroom facilities, as well as use of name and preferred pronouns;
- Whether the student's family is aware of the student's transgender status, and whether or not the student has concerns related to familial reactions;
- What information to share with faculty and staff with respect to the student's assigned sex at birth, the student's assigned gender at birth, the student's gender identity, and the student's transition status, plans, and expectations;
- What information to share with other students and, if information is to be shared, which information, how, and in what context;
- How to respond to questions from adults or peers who know, notice, or perceive that the student is transgender and/or is transitioning;
- How the school can provide to assist the student in addressing any safety concerns at home, and support the student in implementing their decisions regarding what and how to self disclose to parents and other family members.

Privacy

School personnel shall not disclose a student's transgender status to others, including, but not limited to, other students, parents, and/or other personnel, except (a) when legally required to do so by State or Federal law, or administrative regulations or policies, or (b)



the student has authorized such disclosure, or (c) disclosure is deemed, by the Superintendent, Principal, or designated member of the student's support team to be necessary to protect the transgender student's interests or safety, or (d) disclosure is in accordance with the student's support plan. The student's age shall be a factor to consider in making this determination.

In circumstances where disclosure is deemed to be necessary, and in cases in which standard school procedures might result in disclosure (including, for example, when a student must obtain parental permission or consent to participate in any school activity or athletics), before making any disclosure, school personnel should make reasonable efforts to inform the transgender student of the decision to disclose and provide the student with the opportunity and resources they may need to make the disclosure themselves. This includes providing the student with any support services that would help the student make the disclosure in a safe and supportive environment.

The Board recognizes that some transgender students have not disclosed their transgender status to their parents. Generally, when contacting the parent or guardian of a transgender student, personnel should use the student's legal name and gender pronouns that corresponds to their legal sex, unless the student, parent, or guardian has specified otherwise.

Use of Names and Pronouns

The district, schools, and school personnel shall honor requests of student or parent/legal guardian to have the student addressed by a name and pronoun different from those associated with the student's assigned sex at birth. Proof of a court-ordered name or gender change is not required. Districts and schools should also endeavor to proactively adapt student information systems to accommodate requested names and pronouns to prevent inadvertently revealing information that would violate the student's privacy. Although inadvertent use of the transgender student's name or pronoun may occur, staff or students intentionally refusing to respect a student's gender identity by using the wrong name and/or gender pronoun is discriminatory and is a violation of this policy, and may also be a violation of this Board's policies prohibiting discrimination (Policy 5750), and harassment, intimidation and bullying (Policy 5512).

School Records

At the request of the adult student, or in the case of a minor student with the consent of the student's parent/legal guardian, schools shall use a transgender student's requested name, gender marker, and gender pronoun on physical records and documents, diplomas and other certificates of advancement (this is not inclusive of student transcripts).



electronic records and documents, and school IDs. Efforts shall be made to update student records with the student's preferred name and gender marker, and not to circulate records with the student's assigned birth name or gender marker, when possible.

When a student or parent/legal guardian presents the school with documentation of a court-ordered legal name and/or gender change, or provides other official documentation of a sex or gender other than that assigned at birth, the district will modify its official records to reflect the student's new legal name and gender, from the date of the legal change.

In the event that a transitioning student of minor age is unable to obtain consent from a parent or guardian to change school student records, or provide legal documentation of a gender other than that designated in the student's school record, a school administrator and/or school counselor shall meet with the student to discuss how the student would like to be addressed at school and implement a plan to ensure that the student's privacy is protected.

Transgender students who transition after having graduated may request their previous schools to amend specific school records such as a diploma or transcript that include the student's birth name and gender. When requested, schools shall amend the student's record, including reissuing a high school diploma or transcript, to reflect the student's current name and gender.

Restroom Accessibility

Transgender students shall have access to the restroom that corresponds to their gender identity (N.J.S.A. 10:5-12(11)(f)(1)). Where available, a single stall, "gender neutral" or "gender inclusive" restroom (such as in the health office) may be used by any transgender student who desires increased privacy, regardless of the underlying reason. The use of such a "gender neutral" restroom shall be a matter of choice for a transgender student and no student shall be compelled to use such a restroom.

The availability of "gender neutral" restrooms does not override a school's legal obligation to permit transgender students to use restrooms and locker rooms consistent with their gender identity under the same conditions as other students.

Locker Room Accessibility

Transgender students shall have access to the locker room facility that corresponds to their gender identity. If transgender students have a need or desire for increased privacy, regardless of the underlying reason, they may be provided access to a reasonable alternative changing area or locker room such as:



- Use of a private area in the public area of the locker room facility (i.e., a nearby restroom stall with a door, an area separated by a curtain, or a P.E. instructor's office in the locker room).
- A separate changing schedule (either utilizing the locker room before or after other students).
- Use of a nearby private area (i.e., a nearby restroom or a health office restroom).

Use of such alternative changing space shall be a matter of choice for a transgender student and no transgender student shall be compelled to use such an alternative. Any such alternative arrangement shall be provided in a way that protects the student's ability to keep their transgender status confidential.

Participation in Athletics and Physical Education Classes

Transgender students shall be permitted to participate in physical education classes, intramural sports, and competitive athletic activities in a manner consistent with their gender identity. For rules and procedures governing interscholastic sports eligibility for transgender student athletes, the district shall maintain compliance with the New Jersey State Interscholastic Athletic Association (NJSIAA) governing body.

Nothing in this policy shall be construed to excuse any student from following necessary or customary protocols for obtaining parental consent for athletic participation, including permission slips, consent forms and waivers. School personnel will adhere to this policy, when advising transgender students about the process for obtaining such parental consent.

Gender Separation in Other Areas

As a general rule, in any other circumstances in which students are separated by gender in school activities (e.g., overnight field trips), students shall be permitted to participate in accordance with 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 (if the student is of minor age status) must submit a letter to the Superintendent of Schools indicating the student is no longer gender nonconforming. The Superintendent or designee will meet with the parent and the student to discuss the transition of the student from gender nonconforming to gender conforming. In the event the parent does not consent to the student's assertion the student is no longer gender nonconforming, 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.

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

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

The Board of Education is committed to providing a safe, supportive, and inclusive learning environment for all students. The New Jersey Law Against Discrimination (NJLAD), N.J.S.A. 10:5-12(11)(f), generally makes it unlawful for schools to subject individuals to differential treatment based on gender identity or expression. Title IX of the Education Amendments of 1972 ("Title IX") specifically prohibits discrimination on the basis of sex in Federally-funded education programs and activities [20 U.S.C. § 1681(a)].

N.J.S.A. 18A:36-41 directs the Commissioner of Education to establish guidelines outlined in this Policy to provide direction for schools in addressing common issues concerning the needs of transgender students, and to assist schools in establishing policies and procedures that ensure a supportive and nondiscriminatory environment for transgender students.

Definitions/Terms

A safe and supportive environment within a school begins with understanding and respect. The Board believes students, teachers, and administrators should be provided with common terminology associated with gender identity. The terms listed below are commonly used by advocacy and human rights groups, however students may prefer other terms to describe their gender identity, appearance, or behavior. It is recommended school personnel discuss with the student the terminology and pronouns each student has chosen.

"Gender identity" means a person's internal, deeply held sense of gender. All people have a gender identity, not just transgender people. For transgender people, the individual's internal gender identity is not the same as the gender assigned at birth.

"Gender expression" means external manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and



feminine, although what is considered masculine or feminine changes over time and varies by culture.

“Assigned sex at birth (ASAB)” refers to the biological sex designation recorded on a person’s birth certificate upon the initial issuance of that certificate, should such a record be provided at birth.

“Gender assigned at birth” refers to the gender a child is assigned at birth or assumed to be, based on their biological sex assigned at birth.

“Sexual orientation” describes a person’s enduring physical, romantic, and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. A transgender person may be straight, lesbian, gay, bisexual, or asexual. For example, a person who transitions from male to female and is attracted solely to men may identify as a straight woman.

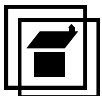
“Transgender” is a term for an individual whose gender identity and/or gender expression differs from those typically associated with the sex and gender assigned at birth.

“Transition” is the process by which a transgender person recognizes that their authentic gender identity is not the same as the gender assigned at birth, and develops a more affirming gender expression that feels authentic. Some individuals socially transition, for example, through dress, use of names and/or pronouns. Some individuals may undergo physical transition, which might include hormone treatments and surgery. School district personnel should avoid the phrase “sex change,” as it is an inaccurate description of the transition process; the process is more accurately described as “gender-confirming.”

“LGBTQ” is an acronym for “lesbian, gay, bisexual, transgender, and queer/questioning.”

“Gender nonconforming” describes a person whose gender expression does not conform to the gender expectations of their family or community. Gender nonconformity is not necessarily an indication that a youth is transgender; many non-transgender youth do not conform to stereotypical expectations.

“Gender expansive, Gender diverse, Gender fluid, Gender non-binary, A gender, Gender queer” are terms that convey a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. For example, students who identify as gender queer or



gender fluid might not identify as boys or girls; for these students, the non-binary gender identity functions as the student's gender identity.

"Cisgender" refers to individuals whose gender identity, expression, or behavior conforms with those typically associated with their sex assigned at birth.

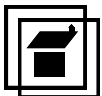
Student-Centered Approach

The school district shall accept a student's asserted gender identity; parental consent is not required. A student need not meet any threshold diagnosis or treatment requirements to have his or her gender identity recognized and respected by the school district, school, or school staff members. In addition, a legal or court-ordered name change is not required. There is no affirmative duty for any school district staff member to notify a student's parent of the student's gender identity or expression.

There may be instances where a parent of a minor student disagrees with the student regarding the name and pronoun to be used at school and in the student's education records. In the event a parent objects to the minor student's name change request, the Superintendent or designee should consult the Board Attorney regarding the minor student's civil rights and protections under the NJLAD. School staff members should continue to refer to the student in accordance with the student's chosen name and pronoun at school and may consider providing resource information regarding family counseling and support services outside of the school district.

School districts should be mindful of disputes between minor students and parents concerning the student's gender identity or expression. Many support resources are available through advocacy groups and resources from the New Jersey Department of Children and Families and New Jersey Department of Education's "Child Abuse, Neglect, and Missing Children" webpage.

The Principal or designee should have an open, but confidential discussion with the student to ascertain the student's preference on matters such as chosen name, chosen pronoun to use, and parental communications. A transgender student shall be addressed at school by the name and pronoun chosen by the student, regardless of whether a legal name change or change in official school records has occurred. The school shall issue school documentation for a transgender student, such as student identification



cards, in the name chosen by the student. A transgender student shall be allowed to dress in accordance with the student's gender identity.

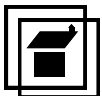
The Principal or designee should also discuss with the student, and any other individuals at the student's request, the risks associated with the student's transgender status being inadvertently disclosed. For example, the Principal or designee should inform the student the transgender status may be revealed due to other students' discussions at home. The Principal or designee should work with the transgender student to ensure awareness of activities and events that may inadvertently disclose the transgender student's status.

Safe and Supportive Environment

The Board developed and adopted this Policy to ensure that its schools provide a safe and supportive learning environment that is free from discrimination and harassment for transgender students, including students going through a gender transition. Gender-based policies, rules, and practices can have the effect of marginalizing, stigmatizing, and excluding students, whether they are gender nonconforming or not.

The Superintendent or designee shall review and update existing policies and procedures, including those regarding classroom activities, school ceremonies, school photographs, and dress codes, to verify transgender students are not excluded. In addition, the school district shall take the following steps to establish and maintain a nondiscriminatory environment for all students, including transgender and transitioning students:

- The school district must comply with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7, which prohibit harassment, intimidation, and bullying. The Board is required to develop, adopt, and implement a Policy in accordance with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7 that prohibits harassment, intimidation, or bullying on school property, at a school-sponsored function, or on a school bus. If harassment, intimidation, or bullying based on gender identity creates a hostile environment, the school must take prompt and effective steps to end the harassment, intimidation, or bullying, prevent its recurrence, and, as appropriate, remedy its effects.

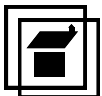


- The Superintendent or designee should ensure training is provided to school staff members on sensitivity and respect towards transgender students.
- Social and Emotional Learning (SEL) concepts should be incorporated into school culture and curricula.
- The school district may seek a variety of professionals, including counselors and school psychologists, to provide emotional supports for all students who demonstrate a need. The Superintendent or designee shall ensure school counselors are knowledgeable regarding issues and concerns relevant to transgender students, students facing other gender identity issues, or students who may be transitioning.
- Student dress codes should not be enforced more strictly for transgender and gender nonconforming students than for other students.
- The school district shall honor and recognize a student's asserted gender identity, and shall not require any documentation or evidence in any form, including diagnosis, treatment, or legal name change.
- A school's obligation to ensure nondiscrimination on the basis of gender identity requires schools to provide transgender students equal access to educational programs and activities, even in circumstances in which other students, parents, or community members raise objections or concerns.

Confidentiality and Privacy

School staff members may not disclose information that may reveal a student's transgender status except as allowed by law. The Principal or designee is advised to work with the student to create an appropriate confidentiality plan regarding the student's transgender or transitioning status.

The school district shall keep confidential a current, new, or prospective student's transgender status. Schools should address the student using a



chosen name and the student's birth name should be kept confidential by school and school staff members.

Due to a specific and compelling need, such as the health and safety of a student or an incident of bias-related crime, the school district may be obligated to disclose a student's status. In this event, the Principal or designee should inform the student the school or school district intends to disclose the student's transgender status for the student's protection and well-being. Prior to disclosure, the student should be given the opportunity to personally disclose that information. The school district should make every effort to ensure any disclosure is made in a way that reduces or eliminates the risk of re-disclosure and protects the transgender student from further harassment. Those measures may include the facilitation of counseling for the student and the student's family to facilitate the family's acceptance and support of the student's transgender status.

During a harassment, intimidation, or bullying investigation the school district is obligated to develop a procedure to report, verbally and in writing, an act of harassment, intimidation, and bullying committed by an adult or youth against a student, pursuant to N.J.A.C. 6A:16-7.7(a)2viii. In this instance, the Principal or designee should inform the student of the school's obligation to report the findings of the harassment, intimidation, and bullying investigation pursuant to N.J.S.A. 18A:37-15(d), which permits the parents of the students who are parties to the investigation to receive information about the investigation in accordance with Federal and State law and regulation. Under harassment, intimidation, and bullying legal requirements, parents are entitled to know the nature of the investigation; whether the district found evidence of harassment, intimidation, or bullying; or whether disciplinary action was imposed or services provided to address the incident of harassment, intimidation, or bullying.

The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense, pursuant to N.J.A.C. 6A:16-7.7(a)2viii(2).

Disclosure of personally identifiable information from a student's education record to other school officials within the school district, whom the school district has determined have a legitimate educational interest in the



information, may be permissible under Family Educational Rights and Privacy Act (FERPA) (34 C.F.R. § 99.31(a)(1)). The school district shall make a concerted effort to ensure school officials obtain access to only those education records in which they have legitimate educational interests.

The school district shall comply with all laws and regulations regarding the confidentiality of student records and student privacy, including the requirements set forth at 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs, and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7917, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by pupils, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil Records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records; as well as all other existing Federal and State laws and rules pertaining to student records and confidentiality.

School Records

If a student has expressed a preference to be called by a name other than their birth name, permanent student records containing the student's birth name should be kept in a separate, confidential file. This file should only be shared with appropriate school staff members after consultation with a student. A separate file containing records bearing the student's chosen name may also be kept. If the student has previously been known at school or in school records by a birth name, the Principal or designee should direct school staff members to use the student's chosen name and not the student's birth name.

To ensure consistency among teachers, school administrators, substitute teachers, and other school staff members, every effort should be made to immediately update student education records (for example, attendance records, transcripts, Individualized Education Programs (IEP), etc.) with the student's chosen name and gender pronouns, consistent with the student's



gender identity and expression, and not circulate records with the student's birth name, unless directed by the student.

- The school district shall report to the New Jersey Department of Education (NJDOE) through NJ SMART a student's name or gender based upon that student's chosen name and corresponding gender identity. Changing the name or gender identity from what was reported in previous years will not affect the reliability of the data reported.
- If the school district changes a student's name or gender identity, it must also maintain locally a separate record reflecting the student's legal name and sex assigned at birth until receipt of documentation of a legal change of name or gender.

Activities

With respect to gender-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity.

The school district shall:

- Provide transgender students with the same opportunities to participate in physical education as other students in accordance with their gender identity;
- Permit a transgender student to participate in gender-segregated school activities in accordance with the student's gender identity;
- Permit and support the formation of student clubs or programs regarding issues related to lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ) youth; and
- Offer support in the creation of peer led educational groups.



Use of Facilities

All students are entitled to have access to restrooms, locker rooms, and changing facilities in accordance with their gender identity to allow for involvement in various school programs and activities.

In all cases, the Principal or designee must work with the student and school staff members so all parties are aware of facility policies and understand the student may access the restroom, locker room, and changing facility that corresponds to the student's gender identity. While some transgender students will want this arrangement, others may be uncomfortable with it. Transgender students who are uncomfortable using a sex-segregated restroom should be provided with a safe and adequate alternative, such as a single "unisex" restroom or the nurse's restroom. Similarly, some transgender students may be uncomfortable using the changing facilities that correspond to the student's gender identity. Non-transgender students should also be afforded the option to use a private facility, such as a unisex facility or the nurse's restroom, should they feel uncomfortable.

- The school district shall allow a transgender student to use a restroom or locker room based on the student's gender identity.
- Reasonable alternative arrangements shall be made if needed to ensure a student's safety and comfort. This direction for accommodations should come from the student.

The Superintendent or designee will make available to school staff members a variety of resources regarding professional development opportunities as sourced by the NJDOE as well as developmentally appropriate information for students regarding LGBTQ issues.

The Board adopts this Policy to help school and district administrators take steps to create an inclusive environment in which transgender and gender nonconforming students feel safe and supported, and to ensure each school provides equal educational opportunities for all students, in compliance with N.J.A.C. 6A:7-1.1 et seq.

N.J.S.A. 18A:36-41; 18A:37-15

N.J.A.C. 6A:7-1.1 et seq.; N.J.A.C. 6A:16-7.7

New Jersey Department of Education – October 2018



Transgender Student Guidance for School Districts

Adopted: 13 November 2014

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Revised: 22 September 2016

Revised: 14 December 2017

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