Information and talking points for speaking about gender transition in schools:

*information taken from Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools (contributing agencies: Human Rights Campaign Foundation, ACLU LGBTQ and HIV Project, Gender Spectrum, National Center for Lesbian Rights, ACLU of Northern California)

Guiding Principles:
- Every student has the right to learn in a safe and accepting school environment. Supporting transgender students gives them the equal opportunity that all students need.
- A gender-expansive student should never be asked, encouraged or required to affirm a gender identity or to express their gender in a manner that is not consistent with their self-identification or expression. Any such attempts or requests are unethical and will likely cause significant emotional harm.

Definitions:
- Gender: the complex relationship between physical traits and one’s internal sense of self as male, female, both or neither (gender identity) as well as one’s outward presentation and behaviors (gender expression).
- Transgender: describes a person whose gender identity is different from what is generally considered typical for their sex assigned at birth. **This term is an adjective. Using this terms as a verb (i.e. transgendered) or noun (i.e. transgenders) is offensive and should be avoided.
- Transitions can be social as well as medical. You should never ask someone if they have had any medical procedures, and should respect the privacy of a student’s transition process.

Age and Grade Level:
- While some may assume that elementary students are too young to discuss these issues, experience from schools across the country say otherwise. In fact, in most cases younger students are much more flexible in their thinking and capacity for understanding a peer’s assertion of their authentic gender.
- Far more than the age of the student, the degree to which others are aware of the student’s gender transition will dictate what is necessary to make the transition go smoothly.

Privacy and the Law:
- Do others in the school community have the right to know about a student’s gender transition? No. The student’s transgender status, legal name or sex assigned at birth is confidential medical information and is protected by the Family Educational Rights and Privacy Act (FERPA).
- Title IX also prohibits discrimination based on sex in any educational program or activity receiving federal financial assistance. This protects transgender students because prohibiting a student from accessing the restrooms etc. that match his gender identity is prohibited sex discrimination.
- Constitutional right of free speech in the 1st amendment requires that a school cannot restrict a transgender student’s appearance beyond the dress code of the school unless it creates a “substantial disruption” at school, which is very difficult to prove.
Talking Points/Frequently Asked Questions:

Simple, short answers to any general questions:

- I can assure you that the safety, well-being and education of all students remain our highest priorities.

- Of course I can’t talk about any individual student, just as I would never talk about your child. Is there a specific way I can help your child with what is bothering him or her?

- Schools have always worked to support the needs of individual students in a variety of ways. Like we have always done, we are committed to supporting all of our students.

- What if other students have concerns about using a restroom with a transgender student?
  - This concern is often based on the false idea that a transgender boy or girl is not a “real” boy or girl, or that a transgender student wants access to those facilities for an improper purpose. School staff should attempt to address any student’s discomfort by reminding students that behaving in a way that makes others uncomfortable is unacceptable and a violation of the school’s commitment to ensuring the safety of all students. Make it clear to students that a transgender student’s mere presence does not constitute inappropriate behavior. Any student who feels uncomfortable for any reason should be offered another more private facility, such as the Nurse’s Office, but a transgender student should never be forced to use alternative facilities.

- Who is protecting my child?
  - What are the specific behaviors of another person that are making your child feel unsafe? I can assure you that the safety of all of the students at this school remains my highest priority. If your child is feeling unsafe, we need to know about it.

- Can you tell me about specific situations or occurrences that have taken place in which your child’s safety was at risk? Our expectation for all of our students is that they respect the privacy and physical boundaries of other students. If the behaviors of one student are making another student feel unsafe, that is an issue we take very seriously. Is something happening that makes your child feel unsafe?

- How can we help your child to feel more comfortable? If for any reason your student needs additional support, such as a private space to change or use the restroom, we will gladly provide places.

- What is to prevent a boy from coming to school one day and simply declaring that he is a girl and changing in the girl’s locker room?
  - Our policy of treating transgender students consistent with their gender identity does not permit a student of the opposite sex to enter into the wrong facilities.

- Ideas about gender diversity go against the values we are instilling in my child at home. Are you trying to teach my child to reject these values?
  - Absolutely not. Our children encounter people with different beliefs when they join any community. While one aim for learning about diversity is to become more accepting of those around us, not everyone is going to be best friends. That does not mean that they can’t get along and learn together. The purpose of learning about gender diversity is to demonstrate that children are unique and that there is no single way to be a boy or a girl. If a child does not agree with or understand another student’s gender identity or expression, they do not have to change how they feel inside about it. However, they also do not have the right to make fun of, harass, or harm other students whose gender identity they don’t understand or support. Gender diversity education is about teaching students to live and work with others. It comes down to the simple agreement that all children must be treated with kindness and respect.