



## **Transgender and Gender Identity Policy**

*Revised 06.26.24*

### **Introduction**

As a gender inclusive school, RISE Prep Mayoral Academy recognizes that gender impacts all scholars, and will strive to normalize gender diversity and, above all else, teach empathy and respect.

Consistent with federal, state, and local laws, it is the policy of RISE Prep to provide an equal opportunity and safe environment for all scholars and employees, regardless of race, color, creed, national or ethnic origin, gender, genetic information, gender identification or expression, religion, disability, age, sexual orientation, marital status, citizenship status, or veteran status.

### **Learning Environment**

RISE Prep is committed to ensuring a safe and supportive learning environment for all scholars. It is committed to ensuring that all educational professionals and other school staff be supportive role models and strong advocates for the safety and well-being of scholars. All scholars need a safe and supportive school environment to progress academically and developmentally. The most specific purpose of this policy is to ensure that scholars who are transgender or gender non-conforming are provided with a safe school environment in which they can grow and learn, while fostering social integration and minimizing stigmatization. Therefore, this policy shall endeavor to:

- Foster an educational environment that is safe and free from discrimination for all scholars, regardless of sex, sexual orientation, gender identity or gender expression;
- Ensure compliance with state and federal law concerning bullying, harassment, and discrimination;
- Reduce the stigmatization of and improve educational integration of transgender and gender non-conforming scholars, maintain the privacy of all scholars, and foster cultural competence and professional development for school staff; and
- Support healthy communication between educators and parent(s)/guardian(s) to further the successful educational development and well-being of every scholar.

### **Definitions**

The following definitions are not for the express purpose of labeling a scholar, but rather to provide common terminology and to assist in understanding this policy:

- “*Gender Identity*” describes a person’s deeply held sense or psychological knowledge of one’s own gender. One’s gender identity can be the same or different from the gender assigned at birth. All people have gender identity. Gender identity is an innate, largely inflexible characteristic of each individual’s personality that is generally established at a very early age, although the age at which individuals come to understand and express their gender identity may vary.

- “*Gender Expression*” describes the manner in which a person represents or expresses one’s gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.
- “*Gender Non-conforming*” describes people whose gender expression differs from stereotypical expectations, such as “feminine” boys, “masculine” girls, and those who are perceived as androgynous. This includes people who identify outside traditional gender categories or identify as both/neither gender.
- “*Sexual Orientation*” describes a person’s romantic or sexual attraction to people of the same or opposite gender or multiple genders. Some common sexual orientations are straight, gay, lesbian, bisexual, pansexual, queer, etc. A transgender or gender non-conforming person can have a sexual orientation.
- “*Transgender*” describes a person whose gender identity or expression is different from that traditionally associated with an assigned sex at birth. Transgender is an umbrella term. A transgender male is someone who identifies as male but was assigned the sex of female at birth. A transgender female is someone who identifies as female, but was assigned the sex of male at birth
- “*Transition*” describes a process in which a person goes from living, identifying, and expressing oneself as one gender to living, identifying, and expressing oneself as another. Transition is a process that is different for everyone, and it may or may not involve social, legal or physical changes. There is no one step or set of steps that an individual must undergo in order to have their gender identity affirmed and respected. Transgender individuals may undergo transition at any stage of their lives, and gender transition can happen swiftly or over a long duration of time.

## **Official Records**

RISE Prep is required to maintain a mandatory permanent pupil record that includes a scholar’s legal name and legal gender. Official documents related to the state-issued identification systems for each scholar may include birth-given names if the name is not officially changed as that is a state led transaction. The Department of Education allows for the submission of preferred names and will use preferred names in most formal state assessments and any communications with families. In those instances, RISE Prep will use the scholar’s preferred name. Within its own computer systems, RISE Prep will attempt to use a scholar’s preferred name upon their request. RISE Prep is able to change a scholar’s official record to reflect a change in legal name and/or legal gender only upon receipt of documentation that such change has been made through legal means. The documentation required for a legal change of name and/or gender is a court order or federally issued document demonstrating the scholar’s new name.

RISE Prep shall collect or maintain information about scholars’ gender only when necessary. In situations where school staff or administrators are required by law to use or to report a scholar’s legal name or gender, such as for purposes of standardized testing, school staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information.

## **Names and Pronouns**

A scholar has the right to be addressed by a name and pronoun that corresponds to the scholar’s gender identity. RISE Prep will treat scholars consistent with their gender identity and/or expression even if their education records or identification documents indicate a different sex assigned at birth. RISE Prep will use a scholar’s preferred name

and/or pronouns for unofficial purposes (e.g., in the classroom, in the hallways, at school-related events, etc.); a court-ordered name or gender change is not required. RISE Prep will use a scholar's preferred name and/or pronouns at all times.

### **Gender Transitions**

The school shall accept and welcome the gender identity that each scholar asserts. There is no medical or mental health diagnosis or treatment threshold that scholars must meet in order to have their gender identity recognized and respected. The assertion may be evidenced by an expressed desire to be consistently recognized as the sex consistent with their gender identity. Scholars ready to socially transition may initiate a process to change their name, pronoun, attire, and access to preferred programs, activities, and facilities consistent with their gender identity. Each scholar has a unique process for transitioning. The school shall customize support to optimize each scholar's equal access to the network's educational programs and activities.

### **Participation and Activities**

Scholars shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity. RISE Prep will continuously evaluate all gender-based activities, rules, policies, and practices and maintain only those that have a clear and sound pedagogical purpose.

### **School Uniform/Dress Code**

RISE Prep scholars are expected to be in full uniform each day. Scholars shall have the right to dress in accordance with their gender identity, within the parameters of the RISE Prep uniform dress code. The uniform provides many options and varieties to ensure inclusivity. RISE Prep staff shall not enforce a dress code more strictly against transgender or gender non-conforming scholars than other scholars.

### **Restrooms and Changing Facilities**

All scholars are entitled to have access to restrooms and changing facilities that are sanitary, safe, and adequate, so they can fully engage in their school program and activities. RISE Prep will work collaboratively with the scholar to address the scholar's access to the restrooms and changing facilities. Each situation needs to be reviewed and addressed based on the particular circumstances of the scholar and the school facilities.

In all cases, RISE Prep leadership will be clear that a scholar may access the restroom and changing facility that corresponds to the scholar's gender identity. Scholars who choose not to use a gender-segregated restroom will be provided with a safe and adequate alternative, such as a gender-neutral restroom or the Nurse's restroom. Should discomfort arise amongst scholars regarding bathroom use, RISE Prep staff members are encouraged to work to address the discomfort and to foster understanding of diversity, including gender identity, to create a school culture that respects and values all individuals.

### **Physical Education and Athletics**

All scholars shall be permitted to participate in physical education classes and athletic sports in a manner consistent with their gender identity.

### **Privacy and Confidentiality**

School staff shall not disclose any information that may reveal a scholar's transgender status to others, including parents or guardians and other school staff, unless legally required to do so or unless the scholar has authorized such disclosure. Transgender and gender non-conforming scholars have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much in regards to sharing private

information. The fact that a scholar chooses to use a different name, to transition at school, or to disclose their transgender status to staff or other scholars does not authorize school staff to disclose a scholar's personally identifiable or medical information. When contacting the parent or guardian of a transgender or gender non-conforming scholar, school staff should use the scholar's legal name and the pronoun corresponding to the scholar's gender assigned at birth unless the scholar, parent, or guardian has specified otherwise. When possible, scholars should be informed that school staff will be using the name, gender, and pronoun assigned at birth by their families, in order to uphold confidentiality and avoid any distress.

### **Bullying and/or Discrimination**

All policies against bullying or discrimination within this handbook shall be interpreted to ban bullying or discrimination against a scholar due to their real or perceived gender identity or sexual orientation. These policies apply equally to staff members and other scholars. Scholars may not be denied an educational opportunity on the basis of their real or perceived gender identity or sexual orientation.

### **Instructive Resources and Laws**

As necessary and/or helpful, RISE Prep will look to the following resources and laws for guidance when interpreting and implementing this policy:

- The Rhode Island Department of Education's Guidance for Rhode Island Schools on Transgender and Gender non-conforming students, as set forth in its June 2016 Guidance;
- The United States Department of Education Guidance on Transgender Students, as set forth in its May 13, 2016 Dear Colleague Letter pertaining to transgender students;
- The Family Educational Rights and Privacy Act (FERPA) of 1974, 20 U.S.C. § 1232g (1974), as it pertains to transgender, gender non-conforming and transitioning students; and
- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., as each pertains to transgender, gender non-conforming and transitioning students.

All aspects of this policy will be reviewed as needed, and at a minimum annually, to ensure that the practices set forth are relevant, compliant, and protective of transgender and gender non-conforming scholars and staff at RISE Prep.