


HOWARD GARDNER MULTIPLE INTELLIGENCE CHARTER SCHOOL

	Students/Families	SF22-1001
	Transgender and Gender Nonconforming Student Policy	ADOPTED DATE: October 18, 2022 REVISED DATE:

The Board of Trustees (“Board”) of the Howard Gardner Multiple Intelligence Charter School (“Charter School”) provides all students and employees with a safe school and learning environment in order to promote the educational process.

Purpose and Intent

The intent of this policy is to facilitate compliance with local and federal laws, including Title IX of the Education Amendments of 1972 (“Title IX”). Title IX specifically prohibits discrimination on the basis of sex in federally funded education programs and activities. This policy is consistent with the Charter School’s policies on bullying, harassment, and discrimination.

Policy Coverage

This policy covers conduct that takes place at the Charter School, on Charter School property, at functions sponsored by the Charter School, while on or waiting for Charter School vehicles, and the usage of Charter School electronic technology and electronic communication. This policy applies to the entire Charter School community, including educators, Charter School staff, students, parents/guardians, and volunteers.

Definitions

“Sex assigned at birth” The classification, either male or female, that a doctor assigns to an individual upon birth. This differs from biological sex, which encompasses sex traits both external and internal.

“Gender identity” An individual’s deeply held sense or psychological knowledge of their own gender, regardless of the sex they were assigned at birth. Individuals determine their own gender identity and gender identity may change over time.

“Cisgender” Individuals whose gender identity is consistent with their sex assigned at birth.

“Transgender” Individuals whose self-determined gender identity is different from the sex classification assigned to them at birth.

“Gender expression” The way a person expresses gender to others through behavior, clothing, hairstyles, activities, voice or mannerisms.

“Gender nonconforming,” Individuals whose gender expression or gender identity falls outside the traditional male-female definitions.

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“Gender-neutral pronouns,” Pronouns used by some transgender and gender non-conforming people, such as they/them/their (singular).

“Social transition” A change in any combination of the following: name, pronouns, gender identity, or gender expression. Social transition does not necessarily involve any legal name change or medical intervention and does not need to be certified by a doctor or therapist.

“Questioning” The process of self-exploration and self-discovery about one’s gender identity, often involving unlearning one’s assigned gender and learning a new one. There is no timetable for this process.

Names and Pronouns

A student has the right to be addressed by a name and pronoun that corresponds to the student’s gender identity. To the extent possible, the name and pronouns with which the student identifies shall be used in all interactions between the student and Charter School staff and students. A court-ordered name or gender change is not required, nor is evidence of therapy or medical transition.

The intentional or persistent refusal to respect a student’s gender identity (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student’s gender identity) is a violation of this policy.

Name Change Reporting Requirements (Pennsylvania Department of Education)

For the Pennsylvania Department of Education Pennsylvania Information Management System (PIMS): A student or parent/guardian may request a change of the student’s listed gender, first name or middle name on the student’s records. If this request occurs, the local education agency may report the student’s preferred information using the following guidelines:

- The change must first be made in PAsecureID;
- The PIMS data (first name, gender, and date of birth) must match what is reported in PAsecureID;
- The student’s name and gender information reported in prior school years will not be updated; and
- The student’s PAsecureID will not be changed.

See 2021-2022 PIMS Manual Ver 1.3 Volume 1 Page 17 Release Date: 9/30/2020, Reporting Student Gender.

Privacy and Confidentiality

All persons, including students, have a right to privacy, and this includes the right to keep one’s transgender identity private at the Charter School. Information about a student’s transgender identity, legal name, or sex assigned at birth also may constitute confidential medical information. School personnel should not disclose information that may reveal a student’s transgender identity or gender nonconformity to others, including parents and other Charter School personnel, unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

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School Activities, Physical Education, Athletics and Sports

To the extent possible, the Charter School shall reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, students will be included in the group that corresponds to their gender identity. Transgender and gender nonconforming students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their expressed interest. Participation in competitive athletic activities and contact sports will be resolved on a case-by-case basis.

Restrooms

At the Charter School, all restrooms are identified as gender neutral. Therefore, all students have access to all student restrooms, regardless of their gender expression.

Discrimination and Harassment

It is the responsibility of the Charter School to ensure that all students, including transgender and gender nonconforming students, have a safe learning environment. This includes ensuring that any incident of bullying, discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging such discrimination or harassment based on a person's actual or perceived transgender identity or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.