Frequently Asked Questions about How Schools Can Create Supportive Environments for Transgender Students

Terms:

**Transgender**: An umbrella term used to describe a person whose gender identity, expression or behavior is different from that traditionally associated with the sex assigned at birth.

**Gender non-conforming**: An over-arching term that refers to people whose gender identity or gender expression does not align with the social expectations or norms for the sex they were assigned at birth.

**Gender expression**: The way someone presents their gender to others, which could include their clothing, behavior, activities, style, etc.

**Gender identity**: A person’s internal knowledge or sense of their own gender (of being male or female, both, or neither), regardless of the sex they were assigned at birth. Gender identity is not sexual orientation.

**Transitioning**: The time and process when a person goes from identifying and living as one gender to identifying and living as another gender. The transition process can look very different for each person and may involve physical, social, and/or medical changes.

**Support plan**: This is a plan for an individual student, developed in partnership with the student, their family (if desired) and school staff. It outlines any accommodations the student needs, pronouns the student wants to be used, any ways that the school will support the student during their transition (if transition is involved), identified staff at the school that the student can go to as a primary resource. This plan may be updated as needed and should be kept confidential, except as required to implement specific elements of the plan.

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Frequently Asked Questions

Supporting Transgender and Gender Non-conforming Students

1. How can I support transgender and gender non-conforming students in my school?
   An important first step is to include the transgender or gender non-conforming student in conversations related to their needs and safety. Different transgender and gender non-conforming students may need or prefer different things. Don’t assume all transgender and gender non-conforming students want or need the same accommodations.

   Schools can work with the student (and their family, if the student desires) to develop a support plan, which details accommodations, logistics and school resources needed to provide a safe and supportive environment for the individual student. This plan may cover topics such as plans for bathroom access, physical education, and staff designated as the primary point of contact for the student. Such a plan can be developed for transgender and gender non-conforming students regardless of whether or not they are in the process of transitioning.

   Respectfully and discreetly ask transgender and gender non-conforming students how they prefer to be addressed, what they want other students or staff to know or not know, what they want their family to know or not know, and what would help them to feel safe and supported at school. The best thing you can do is to tell the student that you care about them and that they can come to you for support. Be proactive, and be available.

2. What if a student does not identify as either male or female?
   Some students may identify in other ways, including non-binary, gender queer, or gender fluid. These students may not feel that “male” or “female” is descriptive of their identity or experiences. These students may want to use different pronouns, and it is important to ask them how they want to be addressed. Different transgender and gender non-conforming students may need or prefer different things. Don’t assume they all want or need the same accommodations. As with transgender students, it is important to involve gender non-conforming students in this discussion.

3. What steps do I need to take to ensure a safe environment?
   Transgender and gender non-conforming students are more likely to be bullied at school than their peers. Follow and enforce a robust anti-bullying policy as required by North Carolina’s School Violence Prevention Act (SB526), passed in 2009. This anti-bullying legislation applies to schools and explicitly protects students from bullying based on several characteristics including “actual or perceived... gender identity, physical
appearance, sexual orientation”. It’s a good idea to include this information in student handbooks, on the LEA website, and in beginning-of-the-year parent materials.

Other practical steps that support safe environments may include building staff knowledge and comfort on this topic through in-services or trainings so that they can model supportive behaviors; visibly identifying safe spaces (such as a counselor’s office); including representations of gender diversity in school library books, posters, and on your website; and offering gender neutral bathrooms (such as single occupancy bathrooms).

Schools have a primary responsibility to keep all students safe. Creating safer school environments for transgender and gender non-conforming students has the effect of creating safer school environments for all students.

4. Which pronouns should I use in referring to these students?
You should use the pronouns indicated by the student. Pronouns may include he, she, they, ze, or others suggested by the student. If you are not sure what pronouns a student uses, ask them respectfully and discreetly. Using correct pronouns is a simple step that can make a big difference to transgender and gender non-conforming students, and setting this example as a faculty or staff member helps to create and reinforce a safe environment for all students.

5. What about a dress code?
School dress codes should be gender-neutral. Students have the right to dress in accordance with their gender identity. The dress code should not be enforced more strictly for transgender or gender non-conforming students.

6. How do I handle this issue with the other students? What if other students feel uncomfortable?
Acknowledge that some students may be uncomfortable with this topic. Help them to understand that there are many kinds of diversity in our schools and in our communities. Work to build understanding and acceptance of differences. Do not tolerate bullying or harassing behavior. Teachers should model the correct use of preferred names and pronouns and help students use them and correct them when they make a mistake.

Maintaining confidentiality is important. Talk to your transgender and gender non-conforming students to understand what they want their peers to know or understand about them. Other students do not need to know that specific students are transgender, and should not be told, unless it is ok with the transgender student. Disclosing this information could violate privacy laws, including FERPA.
Supporting Parents

7. **What do I say to a parent who tells me their child is transgender or gender non-conforming?**
   
   Let the parent know that you will work with them and with their child to support the student’s safety, well-being, and ability to learn in a safe environment. Let them know that you understand this can be a challenging issue for families. Seek to understand their concerns and connect them to supportive resources. Suggest that you sit down with the parent and student to create a plan to protect the student’s confidentiality and also provide supportive accommodations, including any needed during a student’s transition process.

8. **What if a student tells the school that they are transgender but has not told their parent? Should the school let parents know?**
   
   The National School Boards Association says that the law in this area is still unsettled and recommends erring on the side of nondisclosure. Bear in mind that some transgender students may not feel safe disclosing this information to parents or guardians, and by doing so, it could put them in danger. If a transgender student is not ready to share this information with their family, their wishes should be respected. This needs special care and deliberate attention because unintentional slip-ups can lead to very negative and traumatic effects for the student.

   According to FERPA, parents and guardians have full access to student records. If confidentiality is a concern for a student, information that identifies them as transgender should be carefully considered and discussed with the student before including in any official school records.

   If school staff believe that a student’s gender identity or expression is creating difficulty for that student at school, it is appropriate for school staff to approach their parents. This is particularly true for elementary-aged students. For older students, school staff are in a position to help transgender students who do want to talk with their families but don’t know how or want support in this conversation.

9. **How should I address the concerns of other parents?**
   
   Acknowledge that some families may be uncomfortable with this topic. Help them to understand that there are many kinds of diversity in our schools and in our communities. Work to build understanding and acceptance of differences. Help them understand that schools have an important responsibility to keep all students safe. When student safety is at issue, this takes priority over the comfort of other students.

   Maintaining confidentiality is important. Parents do not need to know that specific students are transgender and should not be told, unless it is ok with the transgender student. Disclosing this information could violate privacy laws, including FERPA.
Parents may benefit from opportunities to learn more about people who are transgender or gender non-conforming and the needs of transgender and gender non-conforming students. You could offer such information at school events designed for parents.

10. How can I support parents who identify as transgender or gender non-conforming?
As always, parents and guardians of our students should be welcomed and respected in school buildings and at school activities. Some students may have parents or guardians who identify as transgender or gender non-conforming. Staff should call parents and guardians by the names and gender pronouns they indicate. Staff should also be aware that students with transgender or gender non-conforming parents or guardians may be at higher risk of bullying by their peers, and so staff should continue to take steps to ensure their classrooms are safe and welcoming learning environments for all students.

Additionally, a staff member can schedule a meeting with the family and talk with the parent/guardian and student about how they would like the school to proceed. For some parents or guardians, they may want their gender identity to remain completely confidential. In other cases, the parent or guardian may want the school to send a letter home to all school parents, informing them of the parent’s transition or gender identity. This should be handled on a case by case basis and the wishes of the parent or guardian should be respected and followed.

Administrative/Policy/Logistics

11. What about bathrooms? What about locker rooms?
This is a complex and evolving issue. It is important to work with transgender and gender non-conforming students on an individual basis. Currently there is no North Carolina state or federal policy restricting bathroom access. Local school boards cannot enact policy around this without General Assembly approval. Ask your LEA attorney for guidance.

12. Can students be grouped by gender?
Avoid arbitrarily grouping students by gender when possible. Instead of “boys and girls”, use designations like “last names A-K and L-Z”. This may seem insignificant but can make a big difference to transgender and gender non-conforming students.

If single-gender environments exist in your school (i.e. in PE or health class), all groupings should receive the same information and instruction, and students should be allowed to choose the environment that aligns with their gender identity.
13. What if a parent wants to change the student’s name in their cumulative folder or PowerSchool to reflect the student's identity?
The cumulative folder has to have the student’s legal name and the sex reflected on their birth certificate. It may also include the student’s preferred name. The same is true for PowerSchool, which requires the student’s legal name; a Local Education Agency can choose to add another field for preferred name. Importantly, if a student does not want a parent to know about their gender identity, do not include their preferred name in the administrative records as these are available to parents.

Schools can print a second diploma for students who wish to be known by a name other than the name on their official record.

14. Do 504 Plans or IEPs need to be created for a transgender student?
No, a 504 plan (health management plan) is not needed as a matter of routine. It may be appropriate in some cases, such as if a student’s anxiety or distress is affecting their ability to learn. If a transgender or gender non-conforming student has an IEP or 504 plan, it could contain safety measures around bullying prevention and restroom access.

15. What about sports? Can transgender students choose a sport that matches their gender identity or do they have to choose a sport based on the gender on their birth certificate?
Currently in North Carolina, high school students must play on teams that correspond to the sex on their birth certificate. There is a contradiction between North Carolina law and Title IX. The NC High School Athletic Association (NCHSAA) is following the issue, currently under review.

For specific questions, contact the local high school athletic director, the local board of education, the high school athletic association, and the Local Education Agency attorney.

Individual students can make an appeal on this topic (as with other topics related to high school athletics) to the NCHSAA.

Supporting Teachers
16. What do I say if a teacher doesn’t want a transgender student in their class?
It is the responsibility of all teachers to educate all students and create a safe classroom environment for each student. You can acknowledge that this may be a personal challenge for them. However, you must help all teachers understand that student safety is an expectation and the basis of learning. Teachers may benefit from attending workshops or training related to the needs of diverse students, including transgender and gender non-conforming students.

If student safety and well-being are at risk, move the student to a different classroom, and reprimand the teacher. Remember that when speaking about a student with other
staff, it is rarely necessary to label them as being transgender. Disclosing this information could also violate FERPA.

17. What do I tell my teachers if a female-identifying transgender student wants to be called Grace instead of Greg?
Teachers should refer to all students by the name that the student prefers. On official attendance lists, classroom teachers should make a note of preferred names. This information should also be shared with substitute teachers.

18. How can I support colleagues (teachers, faculty, or staff) who identify as transgender or gender non-conforming?
First and foremost, let the staff member know that you support them. Talk with the staff member and discuss how much (if any) information about their gender identity they would like to be shared with the school community. If they would like to share information with the school community, make a plan with the staff member for how and when that information will be shared. Bear in mind that this is a very personal matter and at no point should a staff member feel like they are being forced to share information that they are uncomfortable disclosing.

19. What are specific steps that teachers can take to create supportive and safe environments?
Practical steps the support safe environments may include proactively enforcing anti-bullying policies; visibly identifying their classroom as a safe space; including representations of gender diversity in school library books, posters, scenarios used as part of classroom instruction, and on your website; and modeling correct use of names and pronouns (including apologizing when they make a mistake).
Additional Resources:

Centers for Disease Control and Prevention
LGBT Youth Overview:
http://www.cdc.gov/lgbthealth/youth.htm

Resources for Educators and School Administrators:
http://www.cdc.gov/lgbthealth/youth-resources.htm#school

StopBullying.gov (U.S. Department of Health and Human Services)
Bullying and LGBT Youth
http://www.stopbullying.gov/at-risk/groups/lgbt/

U.S. Department of Education
April 2015 Title IX Resource Guide
http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf

April 2014 FAQ on Title IX, including discrimination based on gender identity
http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf

D.C. Public Schools
Transgender and Gender Nonconforming Policy Guidance

Charlotte-Mecklenburg Schools
Souls of Our Students, including videos with a focus on transgender students
http://www.meckmin.org/souls-of-our-students/

Souls of Our Students: A Transgender Focus, facilitation guide

National Education Association/NEA Today
Article about Schools in Transition and support for transgender students in K-12
http://neatoday.org/2015/10/08/schools-in-transition-a-guide-to-support-transgender-students-in-k-12/

National School Boards Association
Transgender Students in Schools 2016; FAQs for public school boards and staff
https://cdn-files.nsba.org/s3fs-public/reports/10711-4559_Transgender_Guide_V4_Final.pdf?k0D1_qrOLUuKggFz5r9XTUyboF_vct5F