

Mariana Bracetti Academy Charter School

Board of Trustees Policy

Transgender and Gender Non-Conforming Youth

Pursuant to § 9-1133(2)(a) of the Philadelphia Fair Practices Ordinance, the following uniform policy of non-discrimination shall apply.

DEFINITIONS:

“Institutions Serving Youth.” Entities or organizations that provide educational, recreational, residential, or similar services to youth, in a setting in which the Institution is responsible for the care of a youth population and for adopting and enforcing general rules of conduct.

“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, including genitals, hormones, chromosomes, internal reproductive organs, etc.

“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.

“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.

“Youth.” A collective term applied to individuals who are less than 18 years of age.

“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.

GUIDANCE:

This policy covers conduct that takes place in the Institution serving youth (“Institution”), on Institution property, at Institution-sponsored functions and activities. This policy also pertains to usage of electronic technology and electronic communication that occurs in the Institution, on Institution property, at Institution-sponsored functions and activities, and on Institution computers, networks, forums, and mailing lists. This policy applies to the entire Institution community, including educators, Institution staff, youth, parents, and volunteers.

Names/Pronouns

A youth has the right to be addressed by a name and pronoun that corresponds to the youth’s gender identity. The name and pronouns with which the youth identifies shall be used in all interactions between them and Institution staff and youth as well as on written records including class rosters, report cards, letters from the Institution, transfer forms, and photo ID. 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 youth’s gender identity (for example, intentionally referring to the youth by a name or pronoun that does not correspond to the youth’s gender identity) is a violation of this policy.

Privacy/Confidentiality

All persons, including youth, have a right to privacy, and this includes the right to keep one’s transgender identity private at the Institution. Information about a youth’s transgender identity, legal name, or sex assigned at birth also may constitute confidential medical information. Institution personnel should not disclose information that may reveal a youth’s transgender identity or gender nonconformity to others, including parents and other Institution personnel, unless the youth has authorized such disclosure. Transgender and gender nonconforming youth 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.

Gender-Segregated Activities

To the extent possible, the Institution should reduce or eliminate the practice of segregating youth by gender. In situations where youth are segregated by gender, youth will be included in the group that corresponds to their gender identity. As a general matter, the Institution should evaluate all gender-based activities, rules, policies, and practices including classroom activities, Institution ceremonies, and Institution photos and maintain only those that have a clear and sound pedagogical purpose. Youth shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

Gender-neutral Language

To the extent possible, the Institution should use gender-neutral language in written communication with all youth and families, regardless of youth's gender identity. This included employing "they" (singular) instead of "he/she."

Restroom Access

Youth shall have access to the restroom that corresponds to their gender identity. Any youth who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom, but no youth shall be required to use such a restroom.

Locker Room Access

Youth shall have access to the locker room that corresponds to their gender identity. Any youth who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area. Any alternative arrangement should be provided in a way that protects the youth's ability to keep their transgender identity confidential.

Physical Education Classes & Intramural Sports

Transgender and gender nonconforming youth shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity.

Interscholastic Competitive Sports Teams

Participation in competitive athletic activities and contact sports will be resolved on a case-by-case basis.

Dress Codes

Transgender and gender nonconforming youth have the right to dress in a manner consistent with their gender identity or gender expression. Institutions may not adopt dress codes that restrict youth clothing or appearance on the basis of gender. In

describing dress codes, Institutions serving youth should employ gender-neutral language rather than specify separate “girl” and “boy” uniforms.

Training Requirement

All Institution personnel shall be trained regarding this policy.

Discrimination/Harassment

It is the responsibility of the Institution to ensure that transgender and gender nonconforming youth have a safe environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing youth and staff with appropriate resources. Complaints alleging 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.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL’S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day _____ of _____, 2022

Dr. Arlene Holtz
Chairperson

Jenee Chizick
Secretary