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Palo Alto school district eyes new gender-identity policy

Proposed action would more fully support transgender, gender non-conforming students

by Elena Kadvany / Palo Alto Weekly

The Palo Alto school district is considering a new comprehensive policy that would take a more intentional, inclusive approach to ensuring the protection of the rights of transgender and gender non-conforming students.

The school board's policy review committee (BPRC) discussed the proposed policy at its first meeting of the school year on Monday morning. The policy, titled "Gender Identity and Access," is the product of more than two years of work by the district's Lesbian, Gay, Bisexual, Transgender, Queer and Questioning (LGBTQQ) committee, which is made up of administrators, staff, teachers, parents and representatives from local community organizations such as Outlet, a LGBTQ program at Adolescent Counseling Services.



The proposed policy seeks to "promote the healthy development and safety of all students including transgender students by maximizing inclusion and social integration while minimizing exclusion and stigmatization," according to the proposed policy itself.

The LGBTQQ committee crafted the policy based on state and federal law as well as other school districts' existing policies, drawing primarily from the Berkeley Unified School District. The Berkeley school board passed its policy in late 2013.

The San Francisco Unified School District adopted a trans-affirmative policy more than a decade ago. And the Los Angeles Unified School District adopted a policy in 2005.

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Ine administrative regulation on nondiscrimination/harassment includes a section that outlines several rights for transgender and gender non-conforming students – the right to privacy as well as support during a social transition at school, to determining their own gender identity, to access facilities and activities based on their gender, to changing their name and pronouns in student records and to have district staff address them by their preferred name and pronouns.

The LGBTQQ committee has been working since before the passage of AB1266 to develop a policy that was more comprehensive and inclusive than this administrative regulation, particularly to protect students who identify as non-binary, defined in the proposed policy as "an individual whose gender identity or gender expression falls outside or in between the category of male or female."

On Monday, a parent who serves on the LGBTQQ committee and has a transgender elementary-aged child in the district, spoke to the critical impact of having a comprehensive policy in place. This parent and others who spoke at the meeting requested anonymity due to privacy and safety concerns for their children.

The parent cited the Gay, Lesbian & Straight Education Network's 2013 National School Climate Survey," which found that LGBT students in schools with a comprehensive policy that "specifically enumerates both sexual orientation and gender identity and expression" were less likely to hear negative remarks about gender expression – 41.7 percent compared to 57.6 percent of students who attend schools with a generic

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policy. Students at schools with a comprehensive policy were also more likely to report that staff intervene when hearing homophobic remarks, the parent noted.

Although a majority of students surveyed had an anti-bullying policy at their school, only 10 percent reported that their school had a comprehensive policy in place.

The proposed policy considered Monday requires schools to accept a student's "asserted gender identity" and call them by their preferred name and pronouns. The National Climate Survey found that 42 percent of transgender students had been prevented from using their preferred name.

Under the new policy, schools would not be allowed to request any medical or mental health diagnosis or require a treatment plan to have a student's gender identity recognized. Students are also not required to give their schools a court-ordered name or gender change in order to have their requested name and gender identity recognized.

Though teachers and staff are legally required to use a student's preferred name and pronouns, changing that information in the school district's records system has historically proved difficult for Palo Alto transgender students, particularly those who might not have the support of their parents and are not yet 18 years old. Seeing one's legal name and gender in places like roll sheets, Schoology or school IDs can be traumatic for transgender students.

The school district just this month implemented a change within its online student information system, Infinite Campus, to include new fields to differentiate between legal name and gender and preferred name and gender.

Yet even when names and pronouns are changed in school records, there are other areas where legal names and genders might appear and potentially "out" students, the policy notes: "pre-printed labels, standardized tests, student IDs or library cards, lunch tickets, school photos, notices from the main office, attendance slips, grade books, posted lists of student names, lesson plans, seating charts and roll sheets used by substitute teachers, and any other places where students' names are commonly written."

The policy also urges schools to avoid separating students by gender in the classroom and other activities, like the formation of teams in physical education class or selecting dance partners.

Under the new policy, the district would maintain an official, permanent student record with the student's legal name and gender that appears on the student's birth certificate. The policy urges schools to keep this record in a secure location to protect student privacy. If a student or parent presents the school with documentation of a court-ordered legal name and/or gender change, the school must then change the official student record in a timely manner, according to the policy.

Schools would also be required to honor transgender students who transition after graduation and to change their diploma or transcript to their current name and gender.

The policy also instructs school personnel to not accidentally "out" students who might not be out in other settings or with their parents.

"Care must be taken to protect student privacy," the proposed policy reads. "School personnel should not assume that a student who is 'out' in some contexts (e.g. within a classroom) is 'out' everywhere (e.g. on a sports team). School personnel should also not assume that a student who is 'out' now (e.g. in middle school) would still want to be 'out' in the future (e.g. high school)."

Students who might socially transition in elementary or middle school might decide to do what many families describe as going "stealth," or keeping their transgender identity private at new schools later on.

Another parent with a transgender child in the district noted on Monday that many students don't decide to socially transition at school because they don't feel safe doing so. Students who don't conform to gender norms – whether that means a student who identifies as transgender or a boy who likes to wear dresses – are subject to more bullying and harassment, the parent said.

The National Climate Survey found that compared to other LGBT students, transgender, genderqueer, and other non-cisgender students face the most hostile school climates.

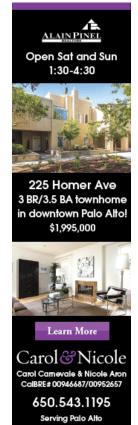
"We like to think that here in Palo Alto we're a highly educated, liberal place," the parent said. "I think probably you know we're not completely immune, but just through my work as an ally I have come to know of several situations at several elementary schools where kids have had issues," some from other students who are "confused and curious" but others who are "mean-spirited," the parent said.

Another parent described difficulty preparing Palo Alto High School staff in advance of their child's recent transition, particularly ensuring access to a private single-stall bathroom. In the past, most transgender or gender non-conforming students in the district have been given a key to use single-stall staff or office bathrooms.

Some Palo Alto school sites, including both high schools, are now in the process of converting some of their staff bathrooms to "gender-neutral" restrooms with an "occupied/unoccupied" lock so students don't have to potentially out themselves by asking for a key or having to explain themselves to a staff member who might not be aware of why they have a key.

These bathrooms are also available to any student who might require increased privacy, not just transgender or gender non-conforming students.









The parents in attendance Monday urged board members to think about the policy as a way to systemically require more proactive provision of accommodations for transgender and gender non-conforming students – and as a first step toward further education and training around LGBTQ issues.

"This policy is important, but it's only a piece of what's needed to create a safe environment for our LGBTQQ students," the parent of the transgender elementary-aged student said.

Members of the LGBTQQ committee have said one of their priorities this year will be to advocate for enhanced teacher and staff training and the introduction of more LGBTQ-specific curriculum in Palo Alto Unified.

Currently, new teachers receive about four hours of training through Gender Spectrum, an Oakland-based organization that provides gender education and training, and Outlet when they are hired, according to the district. Some staff have also attended a Human Rights Campaign Foundation conference around LGBTQ students' inclusion, safety and well-being.

The district recently submitted a request to Gender Spectrum to provide more training in the district, according to Student Services Coordinator Brenda Carrillo, who heads the LGBTQQ committee.

The LGBTQQ committee is also developing a resource guide for the community with additional information and guidance for parents on how to answer students' questions around these issues.

The two members of the school board who serve on the policy review committee, Ken Dauber and Heidi Emberling, responded positively to the draft policy, offering only several edits to some of the language.

What the policy makes clear, Dauber said, is a "fundamental commitment to nondiscrimination and non-harassment and that doesn't require balancing against other interests. It's a commitment that has to be honored and exemplified.

"I think one of the concerns that I've heard expressed is that absent this kind of guidance, we get into a discussion about balancing where balancing isn't appropriate because we're talking about the rights of children to an education free of discrimination."

Wendy He, the board policy review committee's new parent liaison, asked how the district would plan to disseminate such a policy – along with the proper education that other parents in the community might need to fully understand it.

"If I were not in this meeting I would probably very much not understand and be against it immediately," she said. "It takes education."

Superintendent Max McGee suggested asking the PTA Council to distribute the policy, if approved, to parents. McGee said he also plans to discuss the topic with both high school faculties at an upcoming professional development day in October.

"We're also talking about a culture change that needs to happen across the community and that's not easy," Carrillo said. "The education piece will be very important not only within our staff and for our students but for all parents to have those really important conversations, I think, is something we're going to have to put some thought into."

Emberling said they would bring the proposed policy to the full board at its next meeting on Oct. 13.

Comments

Posted by **parents** a resident of Gunn High School on Sep 30, 2015 at 2:47 pm + 13 people like this

I think it's surprisingly forward thinking that PAUSD is dealing with this issue. It brings up all kinds of conflicting feelings, though, because the district is in such a position of power with students who are definitely vulnerable, and we've witnessed district personnel use deliberate violation of student privacy to retaliate.

Any steps should also include specific mechanisms to get help when students feel threatened or are in a climate where they feel constantly unsafe or unwelcome.

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Posted by **Helen carroll** a resident of Midtown on Sep 30, 2015 at 3:12 pm + 16 people like this

The policy being discussed fits perfectly with many school districts within California and even across the nation. the key, as mentioned is training for the teachers and coaches. This will ensure an inviting

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positive climate for transgender and non-conforming students plus their classmates. California state assembly encourages these policies and would be supportive of such efforts. This policy would make our school a leader in inclusion and equality for every student. I encourage that we adopt this policy and establish more trainings through Gender Spectrum for the teachers and administrators. Great work Palo Alto School District!! Please pass it.

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Posted by parents

a resident of Gunn High School on Sep 30, 2015 at 3:28 pm + 5 people like this

@Helen,

You are right, the district should pass this. But we already have so many situations in which the district talks a good game but doesn't walk the talk. And students who are more vulnerable than others see that vulnerability used against them in the school situation by staff when it serves other purposes.

I don't want to see us putting up another guardrail without also bolting it down. If everyone always did the right thing, we wouldn't need rules like this. Some better, neutral mechanisms for students to get help are appropriate.

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Posted by parent

a resident of College Terrace on Sep 30, 2015 at 3:30 pm + 7 people like this

"Wendy He, the board policy review committee's new parent liaison, asked how the district would plan to disseminate such a policy â€" along with the proper education that other parents in the community might need to fully understand it.

'If I were not in this meeting I would probably very much not understand and be against it immediately,' she said. 'It takes education.'"

Why should she be against it immediately? What is there possibly to be against? How is more tolerance, awareness, and support for kids an objectionable thing??

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Posted by parents

a resident of Gunn High School on Sep 30, 2015 at 3:30 pm

+ 4 people like this

Just to clarify:

" Some better, neutral mechanisms for students to get help are appropriate." As an addendum to this.

The district should pass it.

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Posted by KAB

a resident of another community on Sep 30, 2015 at 3:44 pm

+ 25 people like this

This is truly fantastic. As a former middle school teacher, I know how vulnerable children are. Especially in a district that has been so impacted by suicides (surely many a result of bullying, pressure from other students, etc., read about them here: Web Link), it's critical that measures like this are put in place to protect students anyway we can, and secure a right to an education for ALL students.

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Posted by **Mila Z** a resident of Fairmeadow on Sep 30, 2015 at 8:54 pm + 22 people like this

Wow I am so proud of my district for considering a more comprehensive policy! Thank you to the

families who have been willing to speak on this important issue. We aspire to be an inclusive community and this demonstrates that.

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Posted by **Anony Mouse** a resident of Evergreen Park on Sep 30, 2015 at 10:52 pm + 11 people like this

Thank you to the citizens of the LGBTQQ Committee for your work on this. I'm proud to live in an inclusive community. There's quite a bit of education needed on this subject, both for adults and students. We'll just keep doing the work. I'm an ally.

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Posted by Upstander Ken

a resident of Old Palo Alto on Oct 1, 2015 at 8:22 am

+ 19 people like this

"What the policy makes clear, Dauber said, is a "fundamental commitment to nondiscrimination and non-harassment and that doesn't require balancing against other interests. It's a commitment that has to be honored and exemplified.

"I think one of the concerns that I've heard expressed is that absent this kind of guidance, we get into a discussion about balancing where balancing isn't appropriate because we're talking about the rights of children to an education free of discrimination."

Ken Dauber thanks once again for being an upstander against discrimination and sexual harassment in our schools. Your commitment to stop discrimination in all its forms in our schools is more than just one week a year. Not in Our Schools Week should be Not In Our Schools Ever and let's follow Ken's lead on this. Campanile, take a lesson.

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Posted by **Antoinette Rose MD**

a resident of Gunn High School on Oct 1, 2015 at 8:30 am

+ 16 people like this

I am thrilled that this policy is being considered and hope it is adopted. Anything that increases the safety and health of our children - all our children - is good. Thanks to everyone who worked on it!

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Posted by **fcservices**

a resident of Evergreen Park on Oct 1, 2015 at 11:09 am

+ 7 people like this

Grateful to read about this effort to create more inclusive schools that take into account the diverse student body.

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Posted by Parent

a resident of Greenmeadow on Oct 1, 2015 at 11:57 am

+ 9 people like this

I was at the district meeting where this was discussed. Thank you to everyone who spoke, including some brave moms. The district employees are very dedicated to this.

Dauber's statement in the story was in response to a few comments about having to respect or take account of the feelings of others. He said strong words about not balancing rights against discomfort. That led to a discussion of education as a response particularly for parents.

To me this is just like race. If we don't worry about the "comfort" or "feelings" of people who don't want to teach black children, why would we worry about it for these kids?

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10/8/2015

Posted by **Herb** a resident of Green Acres on Oct 1, 2015 at 12:00 pm

[Post removed.]

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+ Like this comment

Posted by **Pondering**

a resident of Palo Verde on Oct 1, 2015 at 12:05 pm

+ 3 people like this

to 'parent'

You said:

"Why should she (Wendy He) be against it immediately? What is there possibly to be against? How is more tolerance, awareness, and support for kids an objectionable thing??"

I want to commend Wendy He for being honest about what she believed would have been her likely first reaction. I, too, had a first response of something like: "What's the big deal?" and "This really seems like overkill again."

I suspect that there are many people like me who may have LBGT friends, or sincerely sympathize with their problems in our society, but who HAVE NO CLUE as to what life it like for a teen or pre-teen in such circumstances. Our immediate response is not racist or prejudiced or any other '-ist' except for ignorance. What is to be hoped is that we do not let our ignorance decide for us, but rather we pause, listen, and think.

So once again, thanks to Wendy for being honest, and allowing others of us who had a similar reaction not be embarrassed, but follow in her footsteps.

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Posted by Gunn Grad

a resident of Barron Park on Oct 1, 2015 at 12:07 pm + 10 people like this

Great plan to make Palo Alto schools more inclusive.

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Posted by grateful

a resident of Terman Middle School on Oct 1, 2015 at 2:18 pm + 5 people like this

Reading the comments on this page makes me feel so proud of Palo Alto. I'm so grateful for the efforts of the district to affirm the rights of all students and am also deeply appreciative of our community for being so supportive.

@Pondering - I agree. I think it was brave to be able to say that before learning the full context (the law, the lived experiences of kids in the district, etc) you might not have understood the need for this policy. I appreciate Wendy's honesty because it helps underscore the need for dialog and education around this issue.

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Posted by pausd parent

a resident of Barron Park

+ 11 people like this

on Oct 1, 2015 at 2:20 pm

Proud of PAUSD! Inspiring leadership and sensitivity. Well done.

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Posted by **High School Parent**

a resident of Palo Alto High School on Oct 1, 2015 at 2:46 pm

+ 11 people like this

As a parent of a teen who is struggling with their sense of gender identity, I really appreciate the open minds and open hearts of our community. My child's road to self acceptance will be made easier living in a community that works to accept all.

A HUGE thank you goes to all of those who are working to make important changes in the schools to allow students to be their authentic selves.

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Posted by **Gunn Parent** a resident of Meadow Park on Oct 1, 2015 at 3:43 pm

+ 7 people like this

So grateful to live in such an open-minded and forward thinking community, and to the district for considering this new policy. Please adopt it.

Thanks to all those who work tirelessly to make sure ALL our children feel safe and included.

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Posted by **devil** is in the **details** a resident of Gunn High School on Oct 1, 2015 at 3:45 pm

+ 1 person likes this

While I certainly agree that the intentions here are all good, I do worry about the nitty-gritty. Uggh. I really feel for the quandary school staff and teachers will face when confronted with the following:

"The policy also instructs school personnel to not accidentally "out" students who might not be out in other settings or with their parents."

"Care must be taken to protect student privacy," the proposed policy reads. "School personnel should not assume that a student who is 'out' in some contexts (e.g. within a classroom) is 'out' everywhere (e.g. on a sports team). School personnel should also not assume that a student who is 'out' now (e.g. in middle school) would still want to be 'out' in the future (e.g. high school)."

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Posted by **it's about privacy** a resident of Ohlone School on Oct 1, 2015 at 6:49 pm

+ 7 people like this

Dear Devil is in the details:

Thanks for raising this question. Those two quotes are part of the section on Privacy, which is an important aspect of providing staff and administrators with context and guidance when working with trans* students. Taken out of the full context of that section, it might seem a little hard to imagine how to follow those guidelines.

It is actually pretty straightforward: a person's transgender status is private. Just like you wouldn't want someone sharing personal information about you, trans* students have a right to privacy. If a person trusts you with that private information, you should take care to respect their trust and should not assume that they are (or can be) "out" in all facets of their life. If in doubt, just ask the student (in a polite and discrete way). Pretty simple but incredibly important.

The reality is that for some of our trans* students, school is the only place they feel supported in living an authentic life, because their parents/caregivers have not yet accepted or embraced their true gender. This is a difficult journey for some families and can be incredibly isolating for a student who doesn't have support. And even with supportive families, students often fear that they will be ostracized by their peers if their status is shared. They just want to go to school and live "normal" lives and don't want to be poster children for trans* awareness.

This is not only an issue of privacy but also of safety. According to the National Transgender Discrimination Survey: "those who expressed a transgender identity or gender non-conformity while in grades K-12 reported alarming rates of harassment (78%), physical assault (35%) and sexual violence (12%); harassment was so severe that it led almost one-sixth (15%) to leave a school in K-12 settings or in higher education." (Web Link) Indeed, the rates of suicide, harassment, violence, self harm, homelessness and substance abuse among trans* identified people are heartbreaking (Web Link). But we can do something about those staggering statistics. Trans* students who have support and acceptance are highly resilient and can lead fulfilling, successful lives.

So, you are right: the details matter. Many of our staff don't have extensive experience working with trans* students. For some, this might be their first introduction to the terms and considerations of working with minority gender identities. So it is vital to provide that sensitive context so we can learn together as a community how to foster a safe and respectful environment in which these students can thrive.

trans* is a general, inclusive descriptor for all gender "minorities". Not all people identify as transgender and there are many other terms (gender queer, gender fluid, agender etc) that might be more comfortable for some. So I'm just using it as a shorthand here and not meaning to label anyone.

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Posted by ${\bf TB}$

a resident of Palo Alto High School on Oct 1, 2015 at 7:19 pm

+ 7 people like this

I am a parent of a transgender student in PALY. I and my child always had full support from PALY staff and teachers (and before that at JLS) and my child was always treated in the most sensitive manner. Policy is great but what really matters is the people whom we trust with our children and at PALY and JLS they are wonderful.

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Posted by **Sarah1000** a resident of Los Altos

on Oct 1, 2015 at 8:49 pm

+ 6 people like this

What an awesome example set by PAUSD for other communities! If anyone would like to learn more or find support for a LGBTQ teen, please check out thetrevorproject.org. They have hotline, text and chat support as well as social networking and FAQs.

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Posted by **Catherine**

a resident of Duveneck/St. Francis on Oct 1, 2015 at 11:37 pm

+ 5 people like this

I'm proud that our district is full of people with open hearts and open minds who will support transgender students in navigating these challenges. Every child deserves the right to feel safe and at home in their school. I'm glad to see the commitment to educating the community and teachers, as well. This is still pretty new territory for most people.

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