



# THE SCHOOL DISTRICT OF PHILADELPHIA

## Policy 252: Reference Guide

**Background:** The School Reform Commission unanimously approved Policy 252, Transgender and Gender Nonconforming Students, in June 2016. The initial draft of the policy was developed by staff and students from the Attic. The goal of the policy is *“to ensure safety, equality, and justice for all students regardless of gender identity or gender expression so they can reach their fullest human and intellectual potential.”*

### Key Elements of Policy

#### Policy 252 is consistent with existing policies:

- District policies on bullying, harassment, and discrimination;
- City of Philadelphia 2013 law on LGBT rights;
- Title IX of the Education Amendments of 1972;



#### Staff must use chosen name and pronouns.

- Students have the right to be addressed by a name and pronoun that corresponds to their gender identity.
- This holds for all interactions with school staff and students as well as written records including class rosters, report cards, letters from the school or School District, transfer forms and photo ID.

#### Students have the right to keep their gender identity private.

- A student’s gender identity, legal name, and sex assigned at birth constitute confidential information.
- School personnel should not disclose information that may reveal a student’s gender identity to others without the student’s authorization (this includes speaking with parents);
- 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.

#### Students are permitted to use restrooms and locker-rooms consistent with their gender identity.

- Restroom or locker-room use will not be based on sex assigned at birth;
- Any student, regardless of gender identity, who needs or wants increased privacy shall be given alternative areas to use.

#### The dress code must be gender neutral.

- Students have the right to dress in a manner consistent with their gender identity or expression.
- Schools should employ gender neutral language rather than specify separate “girl” and “boy” uniforms.

#### Schools should eliminate gender-segregated activities.

- This includes separate lines for “boys” and “girls”, gender-segregated seating at lunch, gender-segregated physical education activities, “boy” and “girl” colors for graduation gowns, etc.
- Only gender-segregated activities with a pedagogical purpose should be continued;
- Students shall be permitted to participate in any activities consistent with their gender identity.

**For more information about Policy 252, contact the Division of Students Rights and Responsibilities at [policy252@philasd.org](mailto:policy252@philasd.org)**

**Do students have to legally change their name in order to request a name change on school records?** No. Name of record can be changed upon request from a student and does NOT require a legal name change, letter from counselor/therapist, or evidence of social or medical gender transition.

**What do I do if students are not consistent in their gender expression and choice of pronouns?** Ask them what feels right today. Gender identity can change over time, even day to day. They are not trying to be difficult or test you; they are trying to figure out who they are.

**Does the policy apply to children in elementary school or just older students?** Yes, the policy applies to all students in School District of Philadelphia public schools. Keep in mind that gender identity typically develops between ages 3 and 5, so even kindergarten students can be confident of their gender identity.

**What should I do if a cisgender (ie, non-transgender) student is uncomfortable using the restroom with someone who is transgender?** Policy 252 states that anyone who wishes to have additional privacy can request access to a single stall restroom; this includes cisgender students. Requiring transgender students to use a private restroom denies their right to access to school facilities consistent with their gender identity and could potentially violate their confidentiality by signaling to others that they are transgender.

**What should I do if a child shares with me their gender identity?** Start by honoring the moment and their trust in you by saying, "thank you for sharing that with me." Because you may not know what they mean when they say they are transgender, gender queer, gender variant, gender non-binary or some other terms, you might follow up with, "What does that mean to you?" To better understand your potential role, consider asking, "How can I help make school an inclusive place for you to learn?" Lastly, because Policy 252 obligates you to respect the student's confidentiality, you should ask the student, "Have you shared this information with your parent(s)/caregiver? Could you please tell me a bit more about how they have responded." Then, you should ask the student 3 questions: (1) what name and pronouns would you like for me to use? (2) what name and pronouns would you like for all staff in this school to use? (3) what name and pronouns would you like for staff in this school to use when they call home?

**What if parents don't support the child's gender identity, particularly in regard to names and pronouns?** School should be a safe place for all students. Students may choose to use different names and pronouns and express their gender differently at school than home. Staff are not allowed to share information about a student's gender identity without the permission of the student, including with parents. This may be particularly difficult when parents of young children are not "on board." Requests for name changes on student records must be made to the Office of Student Rights and Responsibilities by parents, but school staff will respect a child's request to be referred to by a different name and pronouns regardless of parent support.

**How will staff be held accountable for following Policy 252?** Building leadership will work towards holding staff accountable, however there may be legal liability regarding a civil rights violation.

**How can I request Professional Development follow up to support my staff?** Please email [equity@philasd.org](mailto:equity@philasd.org) to request trainings for individual schools / program offices



You can review the full policy at <http://www.philasd.org/offices/administration/policies/252.pdf>