



YouthBuild Philadelphia Charter School
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Transgender Students Policy

Title IX and Transgender Students

Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance from the U.S. Department of Education. According to the 2016 Title IX guidance from the U.S. Department of Education and the U.S. Department of Justice, the gender a student identifies with must be considered the student's gender by the school community.

Nondiscrimination

YouthBuild Philadelphia Charter School does not discriminate on the basis of a student's biological gender or the gender with which the student identifies.

Preferred Names

A transgender student has the right to be addressed by a preferred name and pronoun that corresponds to the student's gender identity. Preferred first and/or middle names may be designated. However, the School is unable to designate a preferred surname (last name) without documents showing that the surname has been changed legally by a court or government entity.

While a court-ordered name or gender change is not required for a transgender student to designate a preferred first and/or middle name, it is important for the student to understand that designating a preferred name for use at YouthBuild Philadelphia does not constitute a legal name change. (If, however, the student has legally changed his/her name from the name recorded on the student's birth certificate, the student should present that court documentation of the legal name-change to the School.)

The School's Use of a Preferred Name

A student's preferred name shall be used where feasible in all YouthBuild Philadelphia systems, unless use of the student's legal name is required by law, or unless the use of the student's preferred name is done with the intent to misrepresent the student's true identity. The student's preferred name shall be used on most written School records, including class rosters, report cards, letters from the School, photo ID, and diploma, as well as in all interactions between that student and school staff. (NOTE: students may request that their legal names be used on their diplomas, if they so desire.) A student's legal name will continue to be used on certain School documents—including the student's School Transcript and Special Education Individualized Education Plan (IEP), if applicable—because these documents are considered legal documents and, as such, YouthBuild Philadelphia is required to use the student's legal name on them.

Requesting Use of a Preferred Name

If a transgender student requests to be called by a first and/or middle name other than the legal names recorded on that student's birth certificate, he/she must submit a request to the School, in writing, on the School's *Transgender Student Name-Change Request Form* provided for such purposes. The student's written request will be placed in the student's permanent record as documentation of that request and to be used, as needed, to explain the inconsistencies in the student's name to other agencies, such as prospective employers and other educational institutions.

Use of Restrooms

A transgender student shall have equal access to the restrooms that corresponds to their gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to the single-stall restroom on the 5th floor of the School building, if requested. But no student shall be required to use that restroom.

Privacy/Confidentiality

All persons, including students, have a right to privacy, and this includes the right to keep one's transgender identity private at 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 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.

Gender-Segregated Activities

In situations where students are segregated by gender, students will be included in the group that corresponds to their gender identity. Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

Dress Codes

Transgender and gender-nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression.

Discrimination/Harassment

It is the responsibility of YouthBuild Philadelphia to ensure that transgender and gender-nonconforming students have a safe school 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 students 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.

Violation of this Policy

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.