
**TRANSGENDER AND GENDER NONCONFORMING STUDENT
NONDISCRIMINATION POLICY**

Pathways Academy Adult Education (“PAAE” or the “Charter School”) adopts this Transgender and Gender Nonconforming Student Nondiscrimination Policy to apply to students enrolled in PAAE.

PAAE is committed to providing a safe and supportive learning environment for all students, and to ensuring that every student shall have access to the schools’ educational programs and activities in accordance with Education Code section 221.5. Additionally, PAAE policy requires that all schools and all personnel promote acceptance and respect among students and staff.

The purpose of this policy is to advise Charter School staff regarding issues relating to transgender students in order to create and maintain a safe learning environment for all students. The guidelines provided in this policy do not anticipate every situation that might occur with respect to transgender students.

The needs of each transgender student are unique, and should be considered on a case-by-case basis. This policy should be interpreted consistently with the goals of reducing stigmatization and ensuring the integration of transgender students in educational programs and activities. California Education Code §210.7 states that ‘gender means sex,’ and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth. California Education Code §220 and school policy require that all educational programs and activities should be conducted without discrimination based on actual or perceived sex, sexual orientation, or gender identity and expression. California Education Code §201 provides that public schools have an affirmative obligation to combat sexism and other forms of bias, and a responsibility to provide an equal educational opportunity to all students.

PURPOSE

The purpose of this policy is to foster an educational environment that is safe and free from discrimination for all students, regardless of sex, sexual orientation, gender identity, or gender expressions, and to facilitate compliance with local, state and federal laws concerning bullying, harassment and discrimination.

This policy should be interpreted consistently with the goals of reducing the stigmatization of and improving the educational integration of transgender and gender nonconforming students, maintaining the privacy of all students, and fostering cultural competence and professional development for school staff. Furthermore, this policy will support healthy communication

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between educators, adult students, and/or parents/guardians to further the successful educational development and well-being of every student.

POLICY

1. Students have a right to privacy with regard to certain personal matters. Students may keep their gender identity private, or may openly discuss and express their gender identity, and may decide when, with whom, and how much private information to share.
2. At any time, a transgender or gender nonconforming student, or such student's parent, may inform the Executive Director or designee that the student has a consistent gender identity that is different from the student's sex listed on the student's school registration records, and that the student desires the school to accommodate the student's gender identity.
3. Upon notice that a transgender or gender nonconforming student desires accommodation, the Executive Director or designee shall arrange a meeting with the student and student's parent(s) to discuss how the school may accommodate the student's gender identity. The Executive Director or designee shall take into consideration privacy concerns of all students when attempting to reach an accommodation. When the accommodation involves sports, the Executive Director or designee shall also balance safety and the principle of fair competition.
4. The Charter School maintains certain records which must include the legal name of the student and the student's gender as indicated on official government-issued documents such as the student's birth certificate. If the name of the student is changed by an appropriate court action, such as by a change of name proceeding, the Charter School will take appropriate steps to ensure official records going forward reflect the student's name and gender in compliance with the court action. Please note that this policy on official records does not prohibit the Charter School from reasonably accommodating a student by using a preferred name and gender on certain records or when interacting with the student or school community.
5. If the Charter School receives government-issued documentation demonstrating that a former student's legal name or gender has been changed, the Charter School shall update the former student's records to include the updated legal name or gender. If requested by the former student, the Charter School shall reissue any documents conferred upon the former student, such as a transcript or high school diploma, with the updated legal name or gender.

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The Charter School shall conduct staff training for all staff members on their responsibilities under applicable laws and this policy, including teachers, administrators, counselors, social workers, and health staff. Information regarding this policy shall be incorporated into training for new school employees. To the extent funding is available, the Charter School shall implement ongoing professional development to build the skills of all staff members to prevent, identify and respond to bullying, harassment and discrimination. The content of such professional development shall include, but not be limited to:

1. terms, concepts, and current developmental understandings of gender identity, gender expression, and gender diversity in children and adolescents;
2. developmentally appropriate strategies for communication with adult students or parents/guardians of a minor student about issues related to gender identity and gender expression that protect student privacy;
3. developmentally appropriate strategies for preventing and intervening in bullying incidents, including cyberbullying;
4. school policies regarding bullying, discrimination, and gender identity and expression issues and responsibilities of staff.