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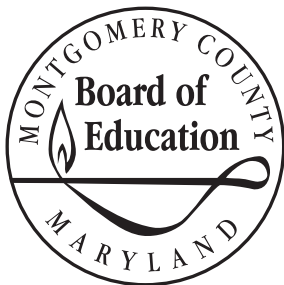
# DRAFT 8-28-23

Student

## **GENDER IDENTITY**

in Montgomery County Public Schools  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)





## **VISION**

*We inspire learning by providing the greatest public education to each and every student.*

## **MISSION**

*Every student will have the academic, creative problem solving, and social emotional skills to be successful in college and career.*

## **CORE PURPOSE**

*Prepare all students to thrive in their future.*

## **CORE VALUES**

*Learning  
Relationships  
Respect  
Excellence  
Equity*

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[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)

# 2023–2024

Student

# GENDER IDENTITY

in Montgomery County Public Schools  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)

*These Guidelines for Student Gender Identity in Montgomery County Public Schools are available in English, Spanish, French, Chinese, Korean, Vietnamese, Amharic, and Portuguese on the MCPS web at [www.montgomeryschoolsmd.org/students/rights/](http://www.montgomeryschoolsmd.org/students/rights/)*

Guidelines for Student Gender Identity (English)

Normas sobre la Identidad de Género del Estudiante (Spanish)

學生性別認定指引 (Chinese)

Lignes directrices en matière d'identité de genre chez les élèves (French)

학생의 성 정체성에 관한 지침서 (Korean)

Hướng dẫn về Nhận dạng Giới tính của Học sinh (Vietnamese)

የተማሪ ጾታ ማንነት መመሪያዎች (Amharic)

Diretrizes sobre a Identidade de Género do Aluno (Portuguese)

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Maryland's Largest School District

**MONTGOMERY COUNTY PUBLIC SCHOOLS**

© September 2023

Montgomery County Public Schools  
Rockville, Maryland



# MONTGOMERY COUNTY PUBLIC SCHOOLS

*Expanding Opportunity and Unleashing Potential*

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

September 2023

Dear Students, Parents/Guardians, and Colleagues,

At Montgomery County Public Schools (MCPS), our commitment to students is rooted in a culture of respect and equity. We celebrate the rich diversity of our community and ensure that every student has the opportunity to thrive and succeed. This commitment is firmly embedded in Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, which reinforces our long-standing dedication to fostering an inclusive, accepting, and equitable environment for all. We recognize the importance of providing a safe and supportive space for our LGBTQ+ students, free from discrimination, bullying, and harassment. We believe that students should be able to express their gender identity authentically and without fear, and they should expect to learn in an environment that reflects and respects their unique identity and life experiences. As a school district, we are committed to recognizing and respecting matters of gender identity, making reasonable accommodations in response to student requests, and ensuring the privacy and confidentiality of every student.

To consolidate and clarify the various Board policies, MCPS regulations, and procedures that address this crucial topic, we have developed this comprehensive guide. We believe it is essential to have all this information readily available in one place, providing clarity and setting clear expectations for our staff, students, families, and community. Throughout the creation of this guide, we have actively collaborated with the MCCPTA-LGBTQ+ Subcommittee and other stakeholders, whose invaluable contributions have deepened our commitment to our core values of Learning, Relationships, Respect, Excellence, and Equity. We extend our heartfelt appreciation to them for their partnership and collaboration. It is through these meaningful partnerships that we continue to enhance our dedication to creating safe, positive, and respectful learning environments for all our students.

Respectfully,



Monifa B. McKnight, Ed.D.  
Superintendent of Schools



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# QUICK REFERENCE GUIDE RESOURCES FOR STUDENTS

## MONTGOMERY COUNTY CRISIS HOTLINES 24-hour information, Referrals, and Supportive Conversation

**Montgomery County Crisis Hotline/EveryMind/** . . . . . **301-738-2255**  
and <https://www.every-mind.org/>  
Provides a staffed hotline as well as a 24-hour chat box on their website.

**Montgomery County Crisis Center** . . . . . **240-777-4000**  
The Crisis Center provides free crisis support services 24/7 for individuals who are experiencing a mental health crisis.

**Youth Crisis Hotline of Montgomery County** . . . . . **301-738-9697**  
Provides confidential and anonymous support by trained counselors through a 24-hour telephone active listening and referral service.

## TO REPORT SAFETY AND SECURITY CONCERNS

**MCPS Office of Systemwide Emergency Management.** . . . . . **240-740-3066**  
The MCPS office responsible for ensuring the safety of MCPS schools and offices.

**MCPS Student Welfare and Compliance: SWC@mcpsmd.org or TitleIX@mcpsmd.org.** . . . . . **240-740-3215**  
The MCPS districtwide Title IX coordinator and districtwide child abuse and neglect contact. The Student Welfare and Compliance (SWC) web page is at <https://www.montgomeryschoolsmd.org/compliance/>. SWC works collaboratively with schools, the Office of the General Counsel and other MCPS offices, and community agencies to ensure consistency and coherence with implementation of policies, regulations, and guidelines, such as issues related to human relations; bullying, harassment (including Title IX sexual harassment), and intimidation; recognizing and reporting child abuse and neglect; incidents of hate-bias, hazing, and student gender identity.

**MCPS Cyber Safety dropbox: CyberSafety@mcpsmd.org**  
Dropbox to report inappropriate online activity within MCPS.

**The Cyber Tipline** . . . . . **1-800-843-5678**  
A 24/7 hotline to report suspected online enticement of children for sexual acts, extra-familial child sexual molestation, child pornography, child sex tourism, child sex trafficking, unsolicited obscene materials sent to a child, misleading domain names, and misleading words or digital images on the Internet.

**Safe Schools Maryland Hotline** . . . . . **833-MD-B-Safe (833-632-7233)**  
A 24/7 anonymous and free reporting system available to students, teachers, school staff members, parents, and the general public to report any school or student safety concerns, including mental health concerns. Information about incidents is shared with the appropriate offices at Montgomery County Public Schools, respecting anonymity of the caller.

**Montgomery County Child Protective Services, Department of Health and Human Services (24 hours)** . . . . . **240-777-4417 or 240-777-4815 TTY**  
A 24/7 reporting hotline to report suspected child abuse or neglect to Montgomery County Child Protective Services.

**Montgomery County Adult Protective Services for Vulnerable Adults** .240-777-3000, 240-777-4815 TTY  
A 24/7 hotline to report suspected adult abuse and neglect.

**Montgomery County Police Department, Special Victims Investigation Division (24 hours)** . . . . . **240-773-5400**  
A 24/7 hotline to report sex crimes against children and adults, physical child abuse, runaways, missing children, felony domestic violence, elder abuse/vulnerable adult abuse, and registration violations of sex offenders to Montgomery County Police Department.

**Montgomery County Police: Drug and Gang Tip Hotline.** . . . . . **240-773-GANG (4264) or 240-773-DRUG (3784)**  
A 24/7 hotline to leave an anonymous tip with information relating to illegal drug/gang activities in Montgomery County.

## MCPS RESOURCES

**Countywide Student Government**  
[www.montgomeryschoolsmd.org/departments/student-leadership](http://www.montgomeryschoolsmd.org/departments/student-leadership)

**Director, Student Leadership and Extracurricular Activities.** . . . . . **240-740-4692**

**Student Member of the Board**  
[www.montgomeryschoolsmd.org/boe/members/student.aspx](http://www.montgomeryschoolsmd.org/boe/members/student.aspx)

**Office of the Board of Education.** . . . . . **240-740-3030**

**Chief of the Office of School Support and Well-being** . . . . . **240-740-3100**

**Associate Superintendent, Well-being, Learning, and Achievement** . . . . . **240-740-5630**

**Section 504 Resolution and Compliance** . . . . . **240-740-3230**

## MONTGOMERY NONEMERGENCY RESOURCES

**Montgomery County Police Nonemergency Line.** . . . . . **301-279-8000**

**Montgomery County Health and Human Services Information Line**  
Contact the Department of Health and Human Services General Information . . . . . **311, 301-251-4850 TTY**  
Outside Montgomery County Residents . . . . . **240-777-0311**

## MCPS INFORMATION AND EMERGENCY ANNOUNCEMENTS

**Stay Connected to MCPS** [www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)  
For systemwide information and emergency announcements:

MCPS on Twitter . . . . . [www.twitter.com/mcps](http://www.twitter.com/mcps)

MCPS en Español. . . . . [www.twitter.com/mcpsespanol](http://www.twitter.com/mcpsespanol)

MCPS on Facebook . . . . . [www.facebook.com/mcpsmd](http://www.facebook.com/mcpsmd)

MCPS en Español. . . . . [www.facebook.com/mcpsespanol](http://www.facebook.com/mcpsespanol)

Alert MCPS . . . . . [www.montgomeryschoolsmd.org/alertMCPS](http://www.montgomeryschoolsmd.org/alertMCPS)



**MCPS INFORMATION AND EMERGENCY ANNOUNCEMENTS (CONTINUED)**

*MCPS QuickNotes Email Messages and Newsletter*. . . . . [www.mcpsQuickNotes.org](http://www.mcpsQuickNotes.org)

**Ask MCPS Information Service**

Telephone. . . . . 240-740-3000  
Spanish Hotline . . . . . 240-740-2845  
Email . . . . . [AskMCPS@mcpsmd.org](mailto:AskMCPS@mcpsmd.org)

**MCPS Public Information Office . . . . . 240-740-2837**

MCPS Television . . . . . [www.mcpsTV.org](http://www.mcpsTV.org);  
Comcast 34, 998; RCN 89, 1058; Verizon 36

*Recorded Emergency and Weather Information* . . . . . 301-279-3673

**MCPS RESOURCES ON THE WEB**  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)

**Search:**

- MCPS School Directory
- MCPS Staff Directory
- MCPS Strategic Plan
- Athletics
- Be Well 365
- Board of Education
- Bullying, Harassment, and Intimidation
- Bus Routes
- Child Abuse and Neglect
- College and Career Center
- Common Sense Education
- Course Bulletin
- Cybercivility and CyberSafety
- Diploma Requirements
- Gangs and Gang Activity

**MCPS RESOURCES ON THE WEB (CONTINUED)**  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)

- Grading and Reporting
- Guidelines for Respecting Religious Diversity
- Guidelines for Student Gender Identity
- Lunch Menus
- Maryland High School Assessments
- Nondiscrimination
- Online Pathway to Graduation
- Physical Education
- Policies and Regulations
- Psychological Services
- Pupil Personnel Services
- Reporting Allegations of Child Abuse and Neglect
- Restorative Justice
- School Counseling Services
- School Health Services
- School Safety
- Sexual Harassment
- Social Media Digital Citizenship
- Special Education
- Special Programs
- Strategic Planning
- Student Code of Conduct
- Student eLearning
- Student Privacy
- Student Service Learning
- Suicide Prevention
- Summer School

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# INTRODUCTION

Montgomery County PzzSupport students so they may participate in school life consistent with **their gender identity consistently asserted at school**, including students who identify as transgender or gender nonconforming.

- Reduce stigmatization and marginalization of transgender and gender nonconforming students.
- Foster social integration and cultural inclusiveness of transgender and gender nonconforming students.
- Respect the right of students to keep their gender identity or transgender status private and confidential.
- Provide support for MCPS staff members to enable them to appropriately and consistently address matters of student gender identity and expression.

We hope you find these guidelines helpful. If you have questions about anything in this guide, please first talk with your school administrators. If you have further questions, contact the MCPS Office of District Operations, Student Welfare and Compliance, at 240-740-3215, [SWC@mcpsmd.org](mailto:SWC@mcpsmd.org) or [TitleIX@mcps.org](mailto:TitleIX@mcps.org). A *Student Gender Quick Guide* is available from Student Welfare and Compliance. If your questions cannot be answered by MCPS staff, you also may contact the Board of Education chief of staff or the Board ombudsman at 240-740-3030 or [boe@mcpsmd.org](mailto:boe@mcpsmd.org).

## ■ Definitions

The definitions provided here are not intended to label students but rather to assist in understanding transgender and gender nonconforming students. Students might or might not use these terms to describe themselves.<sup>3,4</sup>

**AGENDER** Without a gender (also “nongendered” or “genderless”).

**CISGENDER** A person whose gender identity and gender expression align with the person’s sex assigned at birth; a person who is not transgender or gender nonconforming.

**GENDER EXPRESSION** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, speech and word choices, or mannerisms.

**GENDER FLUID** A person whose gender identity or gender expression is not fixed and shifts over time, depending on the situation.

**GENDER IDENTITY** A person’s deeply held internalized sense or psychological knowledge of the person’s own gender. One’s gender identity may be the same as or different from the sex assigned at birth. Most people have a gender identity that matches their sex assigned at birth. For some, however, their gender identity is different from their sex assigned at birth. All people have gender identity, not just persons who are transgender or gender nonconforming people. For the purposes of this guidance, a student’s gender identity is that which is consistently asserted at school.

**GENDER NONCONFORMING** A term for individuals whose gender expression differs from conventional or stereotypical expectations, such as “feminine” boys, “masculine” girls, and those whose gender expression may be androgynous. This includes people who identify outside traditional gender categories or identify as two or more genders. Other terms that can have similar meanings include “gender diverse” or “gender expansive.”

**INTERSEX** A range of conditions associated with the development of physical sex characteristics that do not fit the typical definition of male or female.

**LGBTQ** An acronym for the Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning community. This acronym often is written as LGBTQ+ in an effort to be more inclusive. It is also stated as LGBTA to include

people who are asexual, or LGBTI, with the I representing intersex, or LGBTQIA to represent all of the above.

**NON-BINARY** A person who does not identify solely, or at all, as either male or female. Some non-binary people are also transgender.

**SEX ASSIGNED AT BIRTH** The sex designation recorded on an infant's birth certificate, should such a record be provided at birth.

**SEXUAL ORIENTATION** Describes a person's emotional, romantic, or sexual attraction to other people. **Some examples of sexual orientation are heterosexual/straight, gay, lesbian, bisexual, asexual, or pansexual.**

**TRANSGENDER** An adjective describing a person whose gender identity or expression is different from that traditionally associated with the person's sex assigned at birth. Other terms that can have similar meanings are "transsexual" and "trans."

**TRANSITION** The process by which a person decides to live as the gender with which the person identifies, rather than the gender assigned at birth. In order to openly express their gender identity to other people, transgender people may take a variety of steps (e.g., using a nickname or legally changing their names and/or their sex designation on legal documents; choosing clothes and hairstyles that reflect their gender identity; and generally living and presenting themselves to others consistently with their gender identity). Some, but not all, transgender people take hormones or undergo surgical procedures to change their bodies to align with their gender identity. Although transitioning includes the public representation of one's gender expression, transitioning is a personal process and individuals transitioning have the right to privacy.

**X MARKER** Gender marker option for a person who does not identify with the binary categories of "M" for male or "F" for female.

## ■ Proactively Working with Transgender and Gender Nonconforming Students

### Gender Support Plan

The principal (or designee), in collaboration with the student and the student's family (if the family is supportive of the student), should develop a plan to ensure that the student has equal access and equal opportunity to participate in all

programs and activities at school and is otherwise protected from gender-based discrimination at school. The principal, designee, or school-based mental health professional (e.g., school psychologist, school counselor, and/or school social worker) should use MCPS Form 560-80, *Intake Form: Supporting Students, Gender Identity*, to support this process and assist the student in participating in school. The completed form must be maintained in a secure location and may not be placed in the student's cumulative or confidential files. While the plan should be consistently implemented by all school staff, the form itself is not intended to be used or accessed by other school staff members.

- Each student's needs should be evaluated on a case-by-case basis, and all plans should be evaluated on an ongoing basis and revised as needed. As a part of the plan, schools should identify staff member(s) who will be the key contact(s) for the student. The plan should delineate how support will be provided and how and to whom information will be disseminated.
- In addition, each plan should address identified name; pronouns; athletics; extracurricular activities; locker rooms; bathrooms; safe spaces, safe zones, and other safety supports; and formal events such as graduation.

### Communication with Families

Prior to contacting a student's parent/guardian, the principal or identified staff member should speak with the student to ascertain the level of support the student either receives or anticipates receiving from home. In some cases, transgender and gender nonconforming students may not openly express their gender identity at home because of safety concerns or lack of acceptance. Matters of gender identity can be complex and may involve familial conflict. If this is the case, and support is required, Student Welfare and Compliance (SWC) should be contacted. In such cases, staff will support the development of a student-led plan that works toward inclusion of the family, if possible, taking safety concerns into consideration as well as student privacy, and recognizing that providing support for a student is critical, even when the family is nonsupportive.

### ■ Privacy and Disclosure of Information

- All students have a right to privacy. This includes the right to keep private one's transgender status or gender nonconforming presentation at school.
- Information about a student's transgender status, legal name, or sex assigned at birth may constitute

<sup>1</sup>For more information and lists of additional resources, see *Maryland State Department of Education, Providing Safe Spaces for Transgender and Gender Non-Conforming Youth: Guidelines for Gender Identity Non-Discrimination* (October 2015), available at [marylandpublicschools.org/about/Documents/DSFSS/SSSP/ProvidingSafeSpacesTransgendergenderNonConformingYouth012016.pdf](http://marylandpublicschools.org/about/Documents/DSFSS/SSSP/ProvidingSafeSpacesTransgendergenderNonConformingYouth012016.pdf).

<sup>2</sup>Related Montgomery County Board of Education policies and MCPS regulations: ACA, ACF, JHF, JHF-RA, ACA-RA, ACF-RA, COA, COA-RA

<sup>3</sup>Terminology used in these guidelines is intended to be as inclusive as possible; however, it is understood that terms and language are evolving and may become outdated quickly.

<sup>4</sup>Definitions were informed by the following sources: American Civil Liberties Union; American Psychological Association; Baltimore City Schools; California School Boards Association; Chicago Public Schools; District of Columbia Public Schools; Gay, Lesbian, and Straight Education Network; Howard County Public Schools; Human Rights Campaign; Lambda Legal; Maryland State Department of Education; Maryland Public Secondary Schools Athletic Association; Massachusetts Department of Elementary and Secondary Education; National Collegiate Athletic Association; National School Boards Association; New York City Department of Education; PFLAG; and Trevor Project.

confidential medical information. Disclosing this information to other students, their parents/guardians, or third parties may violate privacy laws, such as the federal *Family Educational Rights and Privacy Act (FERPA)*.

- Schools will ensure that all medical information, including that relating to transgender students, is kept confidential in accordance with applicable state, local, and federal privacy laws.
- Please note that medical diagnosis, treatment, and/or other documentation are not required for a school to accommodate requests regarding gender presentation, identity, and diversity.
- Transgender and gender nonconforming students have the right to discuss and demonstrate their gender identity and expression openly and decide when, with whom, and how much to share private information. The fact that students choose to disclose their status to staff members or other students does not authorize school staff members to disclose a student's status to others, including parents/guardians and other school staff members, unless legally required to do so or unless students have authorized such disclosure.
- It is inappropriate to ask transgender or gender nonconforming students more questions than are necessary to support them at school.

## ■ Names/Pronouns

All students have the right to be referred to by their identified name and/or pronoun. School staff members should address students by the name and pronoun corresponding to the gender identity that is consistently asserted at school. Students are not required to change their permanent student records as described in the next section (e.g., obtain a court-ordered name and/or new birth certificate) as a prerequisite to being addressed by the name and pronoun that corresponds to their identified name. To the extent possible, and consistent with these guidelines, school personnel will make efforts to maintain the confidentiality of the student's transgender status.

### Staff Communication

Whenever schools are not legally required to use a student's legal name or sex assigned at birth on school records and other documents, the school should use the gender and name identified by the student on documents such as classroom rosters, identification badges, announcements, certificates, newspapers, newsletters, and yearbooks. To avoid harmful misgendering or misnaming, schools should be especially mindful that all information shared with substitute teachers should be in alignment with the student's identified gender and name.

- Schools should seek to minimize the use of permission slips and other school-specific forms that require disclosure of a student's gender or use gendered terminology such as boys/girls (instead of students) or mother/father (instead of parent/guardian).

- Unless the student or parent/guardian has specified otherwise, when contacting the parent/guardian of a transgender student, MCPS school staff members should use the student's legal name and pronoun that correspond to the student's sex assigned at birth.
- Asking about a person's pronouns makes spaces more inclusive and welcoming of transgender, gender nonconforming, and non-binary people.

## ■ Permanent School Records

Schools are required to maintain a permanent student record for each student, which includes the gender and legal name of the student. Students or parents/guardians seeking to change the student's gender or legal name should consult with the school counselor, who will assist the family with completion of Form 560-80, *Intake Form: Supporting Student Gender Identity (SWC)*, and direct any questions to Student Welfare and Compliance. Changes to a student's gender and legal name are subject to different requirements by the Maryland State Department of Education (MSDE). For more information, see MCPS Regulation JOA-RA, *Student Records*.

**Change to Legal Name:** A student's permanent record will be changed to reflect a change in the student's legal name upon receipt of documentation that such legal name has been changed. Any of the following documents is evidence of a legal name change:

- Birth Certificate
- Passport/Visa
- Physician's Certificate
- Baptismal or Church Certificate
- Hospital Certificate
- Parent's/Guardian's Affidavit
- Birth Registration
- Other evidence of birth certificate

If a student and/or the student's parent/guardian requests a change to the student's permanent record, absent such documentation, the school should contact SWC.

**Change to Gender:** Self-identification of a student's gender is sufficient for the student's permanent record. In accordance with guidance from MSDE, a student's records may identify the student as male, female, or gender X. The *Maryland Student Records System Manual* allows for self-identification of a student's gender on student records as follows:

- 1-Male
- 2-Female
- X-Non-binary, student identifies as neither male nor female or both

**Prevention of Disclosure:** The school must protect the student's previous identity once a change to a student's gender and/or legal name has occurred. Please refer to the Student Record Keeper Manual, Department of Shared Accountability, or SWC for additional information.

In situations where schools are required to use the gender and legal name from a student's permanent record, such as for standardized tests or reports to MSDE, school staff members and administrators shall adopt practices to avoid the inadvertent disclosure of the student's gender and legal name when they differ from the student's identified name and gender.

When a gender and/or name change has been made to the permanent school record—

- the school must notify the Department of Shared Accountability so that appropriate notice to MSDE can be made, and

- school administrators should advise families that they must provide updated copies of any records provided to the school that were generated by external sources (e.g., immunization records, doctor's orders, or other records from medical providers).

**Former Students:** Similarly, a former student's permanent record should be changed to reflect a change in the former student's gender and/or legal name, on receipt of documentation that such gender and/or legal name have been changed. These changes are processed by Central Records.

## ■ Dress Code

- Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression, so long as it complies with the MCPS dress code. School staff members shall not enforce a school's dress code more strictly for transgender or gender nonconforming students than for other students.
- Schools should consider gender-neutral dress codes for class or yearbook photos, honor society ceremonies, graduation ceremonies, and dances. In addition, in circumstances where gendered clothing is worn (e.g., in shows and performances), students should be allowed to wear the garments associated with their gender identity.

## ■ Gender-based Activities

- Schools should evaluate all gender-based policies, rules, and practices, and maintain only those that have a clear and sound pedagogical purpose. For example, if music and performance groups arrange students into sections, they should seek to group them by voice type/qualities, rather than by gender.
- Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific rule, policy, or practice, students must be permitted to participate consistent with their gender identity.

## ■ Gender-separated Areas

- Where facilities are designated by gender, students **must** be provided access to gender-specific facilities (e.g., bathrooms, locker rooms, and changing rooms) in alignment with **their gender identity consistently asserted at school**.
- Any student who is uncomfortable using a shared facility because of safety, privacy, or any other reason, should, upon request, be provided with a safe and nonstigmatizing alternative arrangement such as a single bathroom or, with respect to locker rooms, a privacy partition or curtain in changing areas, use of a nearby private restroom or office, or a separate changing schedule. The student should be provided access in a manner that safeguards confidentiality.

- Students who are entitled to use a facility consistent with their gender identity cannot be required to use an alternative arrangement. Alternative arrangements should be used only at the request of a student and in a manner that keeps the student's transgender status confidential.
- Some students may feel uncomfortable with a transgender student using the same sex-specific facility. This discomfort is not a reason to deny access to the transgender student. School administrators and counseling staff members should work with students to address their discomfort to foster understanding of gender identity and to create a school culture that respects and values all students.

## ■ New Construction/Renovation

- If existing facilities do not meet the requirements of school administration to provide a gender-neutral facility for students, schools should work with the Department of Facilities Management to develop facility plans that could include renovation of existing facilities.
- Bearing in mind student safety considerations, the Department of Facilities Management should work to design gender-neutral bathroom facilities that are for student/public use.
- To the extent feasible, MCPS should build at least one gender-neutral restroom on each floor and in high-traffic areas.
- To the extent feasible, MCPS should incorporate at least one gender-neutral changing facility into the design of new schools and school renovations, allowing for safety and confidentiality considerations in the design and location of the gender-neutral facility.

## ■ Physical Education Classes and Intramural Sports

- Whenever the school provides gender-segregated physical education classes and intramural sports, students must be allowed to participate in a manner consistent with their gender identity.

## ■ Interscholastic Athletics

- Transgender and gender nonconforming student participation in interscholastic athletics is determined in accordance with Maryland Public Secondary Schools Athletic Association (MPSSAA) policies and guidelines (available online at [www.mpssaa.org/assets/1/6/MPSSAA\\_Transgender\\_Guidance\\_revised\\_8.16.pdf](http://www.mpssaa.org/assets/1/6/MPSSAA_Transgender_Guidance_revised_8.16.pdf)).
- Per MPSSAA guidance and to ensure competitive fairness, the integrity of women's sports, and equal opportunities to participate without discrimination, transgender and gender nonconforming students in MCPS

shall be permitted to participate on the interscholastic athletics team of—

- the student's sex assigned at birth, or
  - the gender to which the student has transitioned, or
  - **the student's gender identity consistently asserted at school.**
- **Once MCPS has rendered a determination of eligibility to participate on an interscholastic athletics team that corresponds to the student's gender identity consistently asserted at school (as stated on MCPS Form 560-80), the eligibility is granted for the duration of the student's participation in interscholastic athletics.**
  - Schools should refer any appeals regarding eligibility to participate in interscholastic athletics to the **MCPS Department of Athletics.**
  - Competition at other schools: Accommodations provided at the home school should be made available at other facilities with the consent of the student and as part of the student's plan. The coach or home school should notify the school to be visited about any necessary accommodations, keeping the identity of the student confidential.

## ■ Clubs

- Many MCPS middle and high schools have student-led clubs that connect and support the interests of LGBTQ and gender nonconforming students, such as Gender and Sexuality Alliance (GSA) clubs. These clubs should run like any other club, with clearly defined purposes.
- Schools may not ban students from forming groups solely because they involve discussion of controversial and complex legal issues.

## ■ Outdoor Education/Overnight Field Trips

- Students must be allowed to participate consistent with **their gender identity consistently asserted at school.**
- Sleeping arrangements should be discussed with the student and family (if the family is supportive of the student). Upon request, the student should be provided with a safe and non-stigmatizing alternative arrangement, such as a private sleeping area, if practicable.
- Schools should try to accommodate any student who may desire greater privacy, if practicable, without isolating other students.
- A student's transgender status is confidential information and school staff members may not disclose or require disclosure of a student's transgender status to other students or their parents/guardians, as it relates to a field trip, without the consent of the student and/or the student's parent/guardian.

## ■ Bullying, Harassment, or Intimidation and Threat Assessment

- LGBTQ students have a higher incidence of being bullied, harassed, or intimidated as well as a higher rate of suicide contemplation, and are more than five times as likely as non-LGBTQ students to attempt suicide.
- Board Policy JHF, *Bullying, Harassment, or Intimidation*, sets forth the Board’s commitment to an environment that is free of bullying, harassment, or intimidation so that schools are a safe place in which to learn; and MCPS Regulation JHF-RA, *Student Bullying, Harassment, or Intimidation*, provides procedures that address the prohibition of bullying in schools. These are available on the MCPS website at <https://www.montgomeryschoolsmd.org/departments/policy/pdf/jhf.pdf> and <https://www.montgomeryschoolsmd.org/departments/policy/pdf/jhfra.pdf>.
- Board Policy COA, *Student Well-being and School Safety*, establishes and maintains a behavior threat assessment process, based on an appraisal of behaviors, and provides appropriate preventive or corrective measures to maintain safe and secure school environments and workplaces. All children deserve a safe and nurturing school environment that supports their physical, social, and psychological well-being. In alignment with Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, school safety measures should not reinforce biases against, or rely on the profiling of, students based on their actual or perceived personal characteristics. MCPS Regulation COA-RA, *Behavior Threat Assessment*, requires that staff responsible for implementing behavior threat assessment procedures at the school level are trained to understand implicit bias, promote diversity awareness, and consider the risk of self-harm or the presence of suicidal ideation. Board of Education Policy COA, *Student Well-being and School Safety*, and MCPS Regulation COA-RA, *Behavior Threat Assessment*, are available on the MCPS web at [www.montgomeryschoolsmd.org/departments/policy/pdf/coa.pdf](http://www.montgomeryschoolsmd.org/departments/policy/pdf/coa.pdf) and [www.montgomeryschoolsmd.org/departments/policy/pdf/coara.pdf](http://www.montgomeryschoolsmd.org/departments/policy/pdf/coara.pdf)
- Bullying, harassment, and intimidation include conduct that is directed at a student based on a student’s actual or perceived gender identity or expression, and includes conduct that targets a student because of a characteristic of a friend, family member, or other person or group with whom a student associates.
- The use of language and/or the display of images and symbols that promote hate may constitute bullying, harassment, or intimidation. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities.
- Complaints alleging discrimination, harassment, or intimidation directed at a student based on a student’s

actual or perceived gender identity or expression should be handled in the same manner as other discrimination or harassment complaints. Reporting structures are in place, as required in MCPS Regulation JHF-RA, *Student Bullying, Harassment, and Intimidation*, that include MCPS Form 230-35 as well as the *MCPS Stronger Student Mental Health and Wellness Application*. Schools should be vigilant about bullying, harassment, and intimidation and address it promptly.

- School staff members should take all reasonable steps to ensure safety and access for transgender and gender nonconforming students at their school and support students’ rights to assert their gender identity and expression.
- Students shall not be disciplined based on their actual or perceived gender identity or expression.
- Schools are encouraged to have age-appropriate student organizations develop and lead programs to address issues of bullying prevention for all students, with emphasis on LGBTQ students.

## ■ Safe Spaces

- **Hallway or “Flash” Pass:** If needed, schools will allow a transgender or gender nonconforming student to go to a safe space (e.g., main office, counselor’s office) at any time the student encounters a situation that feels unsafe or uncomfortable.
- **Safe Zones:** Schools will designate certain teachers’ classrooms, specific offices, or a location in a school that is deemed a safe zone where any student, for whatever reason, may go to be free from judgment and to feel comfortable and safe. Schools also should ensure that staff members who have safe zone stickers on their doors have received appropriate training regarding providing inclusive, affirming environments.

## ■ Staff Support

- Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, protects all MCPS employees from any form of discrimination, including actions that are motivated by an invidious intent to target individuals based on their actual or perceived personal characteristics as well as acts of hate, violence, insensitivity, disrespect, or retaliation—such as verbal abuse, harassment, bullying, slurs, threats, physical violence, vandalism, or destruction of property—that impede or affect the learning or work environment, and encompassing racism, sexism, issues of gender identity, and other forms of institutional prejudice in all their manifestations. Staff seeking guidance and supports involving issues of gender identity are encouraged to contact the coordinator in the Office of Human Resources and Development, Department of Compliance and Investigations, at 240-740-2888.





# MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.\*\*

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|---|--|
| <b>For inquiries or complaints about discrimination against MCPS students*</b>  | <b>For inquiries or complaints about discrimination against MCPS staff*</b>  |
| Director of Student Welfare and Compliance<br>Office of District Operations<br>Student Welfare and Compliance<br>850 Hungerford Drive, Room 55, Rockville, MD 20850<br>240-740-3215<br>SWC@mcpsmd.org         | Human Resource Compliance Officer<br>Office of Human Resources and Development<br>Department of Compliance and Investigations<br>45 West Gude Drive, Suite 2500, Rockville, MD 20850<br>240-740-2888<br>DCI@mcpsmd.org |
| <b>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</b>  | <b>For staff requests for accommodations under the Americans with Disabilities Act</b>   |
| Section 504 Coordinator<br>Office of School Support and Well-being<br>Office of Well-being, Learning and Achievement<br>850 Hungerford Drive, Room 257, Rockville, MD 20850<br>240-740-5630<br>504@mcpsmd.org | ADA Compliance Coordinator<br>Office of Human Resources and Development<br>Department of Compliance and Investigations<br>45 West Gude Drive, Suite 2500, Rockville, MD 20850<br>240-740-2888<br>DCI@mcpsmd.org        |
| <b>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff*</b>   |  |
| Title IX Coordinator<br>Office of District Operations<br>Student Welfare and Compliance<br>850 Hungerford Drive, Room 55, Rockville, MD 20850<br>240-740-3215<br>TitleIX@mcpsmd.org                           |  |

\*Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or [www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html).

\*\*This notification complies with the federal Elementary and Secondary Education Act, as amended.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or [PIO@mcpsmd.org](mailto:PIO@mcpsmd.org). Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) [mcpsinterpretingservices@mcpsmd.org](mailto:mcpsinterpretingservices@mcpsmd.org), or [MCPSInterpretingServices@mcpsmd.org](mailto:MCPSInterpretingServices@mcpsmd.org).

Maryland's Largest School District

**MONTGOMERY COUNTY PUBLIC SCHOOLS**

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