



## **GUIDELINES REGARDING THE SUPPORT OF TRANSGENDER AND GENDER NONCONFORMING INDIVIDUALS**

### **PURPOSE**

These guidelines set forth protocols to address the needs of transgender and gender nonconforming individuals while employed, working for, volunteering, or participating in district endeavors in the Chicago Public Schools. The guidelines cannot anticipate every situation that might occur with respect to transgender or gender nonconforming individuals or employees. Consequently, the needs of each transgender or gender nonconforming individual must be assessed on a case-by-case basis.

### **DEFINITIONS**

The definitions provided here are not intended to label individuals, but rather to assist in understanding these Guidelines and the legal obligations of Chicago Board of Education (“Board”) staff members. Individuals might or might not use these terms to describe themselves.

- “Sex” or “Biological Sex” is a label a person is assigned at birth, often based on a medical professional’s interpretation of the newborn’s physical characteristics. Common examples may be “male,” “female,” or “intersex.”
- “Gender identity” is the deeply held sense or psychological knowledge that individuals have of their gender, regardless of the biological sex they were assigned at birth. Everyone has a gender identity. Common examples include “male/man/boy,” “female/woman/girl,” “trans/transgender,” “gender variant,” “gender nonconforming,” “agender,” or any combination of these terms.
- “Transgender” describes people whose gender identity is different from the biological sex they were assigned at birth.
- “Gender Nonconforming” (also known as Gender Expansive, Gender Variant, or Gender Creative) is a term that refers to individuals whose gender expression does not follow social expectations or stereotypes based on their sex assigned at birth.
- “Gender expression” refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

### **Discrimination/ Harassment**

It is the Board's goal to create an environment in all its school communities where transgender and gender nonconforming individuals are protected from discrimination and harassment. Therefore, it is the responsibility of each Board employee to ensure that employees who are transgender and gender nonconforming have a safe and welcoming work environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident and taking appropriate corrective action. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity must be handled in accordance with the Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy (12-0425-PO1).

### **Privacy**

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how to share private information. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like the Health Insurance Portability and Accountability Act (HIPAA). Management, human resources staff, or coworkers shall not disclose information that may reveal an employee's transgender status or gender nonconforming presentation to others. Personal or confidential information may only be shared with the transgender employee's consent and with coworkers who truly need to know this information to do their jobs.

### **Official Records**

CPS will change an employee's records to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll, health benefits, and retirement accounts may require legal documentation before the employee's information can be changed. Most records, however, can be changed to reflect a person's preferred name without proof of a legal name change.

### **Names/ Pronouns**

Individuals and employees have the right to be addressed by the name and pronoun that correspond to their gender identity, upon request. Employees are not required to obtain a court order and/or gender change or to change their official records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

The intentional or persistent refusal by school staff or students to respect an individual's gender identity (for example, intentionally referring to the individual by a name or pronoun that does not correspond to their gender identity) is a violation of these Guidelines, Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy, and Student Code of Conduct. Such violations will result in appropriate

consequences for offending staff and students. This directive excludes inadvertent slips or honest mistakes in the use of preferred names or pronouns.

### **Restroom and Locker Room Accessibility**

Individuals and employees shall have access to restrooms and locker rooms corresponding to their gender identity. Any individual who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided access to a single-stall restroom, when available.

### **Overnight Trips**

In no case shall a transgender individual and/or employee be denied the opportunity to participate in an overnight school trip due to transgender status. All requests to participate in overnight school trips must be handled in accordance with the Student Travel Policy (10-0526-PO1) and the Volunteer Policy (14-0326-PO1).

All adults, without regard to gender identity, participating in overnight trips may not share hotel rooms or other room-sharing accommodations with students other than their own child.