



Resources for Supporting Transgender Students

Background:

Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs and activities operated by recipients of Federal financial assistance. As a condition of receiving Federal funds, a school agrees that it will not exclude, separate, deny benefits to, or otherwise treat differently on the basis of sex, any person in its educational programs or activities.

January 2014 – AB 1266 went into effect in California Education Code requiring school districts to;

- adopt a policy prohibiting discrimination, harassment and bullying
- at school or any school related activity under the authority of the district
- adopt a process requiring school personnel to immediately intervene (when it is safe to do so) whenever they witness acts of discrimination, harassment, intimidation or bullying
- allow students to participate in sex-segregated school programs and activities, including athletics teams and competitions, and use facilities consistent with their gender identity, regardless of the gender listed in their student records.
- Prohibit materials included in textbooks or other instructional materials that reflect adversely on persons in any of the categories protected in Title IX.

Current Actions:

The U.S. Department of Justice, Civil Rights Division, and the U.S. Department of Education Office for Civil Rights have jointly released a “Dear Colleague” letter and a document titled “Examples of Policies and Emerging Practices for Supporting Transgender Students. These documents are intended to provide schools with the information needed to protect all student’s, but particularly transgender student’s, rights under Title IX. *These documents align very closely with the provisions in California Education Code from AB 1266.*

Recommendations:

- It is recommended that all district and school administration review the “Dear Colleague” letter and the attached guidance. (See below)
- Ensure that the policies created in January 2014, as a result of AB1266, align with the recommendations provided.
- Consider adopting a guidance document for all school staff that supports your policies. (See example below for District of Columbia Public Schools)

Resources Available: See SIA Website www.sia-jpa.org

- US Department of Education “[Dear Colleague Letter](#)”
- US Department of Education “[Examples of Policies and Emerging Practices for Supporting Transgender Students](#)”
- District of Columbia Public Schools “[Transgender and Gender-Nonconforming Policy Guidance](#)”
- “[Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools](#)”

Websites:

- <http://www.welcomingschools.org/>
- <https://www.genderspectrum.org/>
- <http://www.transequality.org/know-your-rights/schools>
- <http://www.imatyfa.org/>