

Supporting a Gender Inclusive Environment at Emerson Waldorf School

The purpose of this policy is:

- (1) to foster an educational environment that is safe, welcoming, and free from stigma and discrimination for all students, regardless of gender identity or expression,
 - (2) to facilitate compliance with local, state and federal laws concerning bullying, harassment, privacy, and discrimination,
 - (3) to ensure that all students have the opportunity to express themselves and live authentically
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Terminology and Word Choice

Transgender and gender nonconforming youth may use different words to describe their lives and experiences of gender. Terminology and language can differ based on region, language, race or ethnicity, age, culture, and many other factors. Some examples of terms used by some youth include trans, trans girl, trans boy, non-binary, genderqueer, gender fluid, and Two Spirit. These terms often mean different things or refer to different experiences of gender. EWS teachers and staff should use the terms that students use to describe themselves and avoid terms that make these students uncomfortable.

Bullying, Harassment, and Discrimination

Discrimination, bullying, and harassment on the basis of gender identity or expression is prohibited at Emerson Waldorf School. It is the responsibility of each faculty and staff member to ensure that all students, including transgender and gender nonconforming students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination, harassment, or bullying is given immediate attention, including investigating the incident, taking age- and developmentally-appropriate action, and providing students and staff with appropriate resources and supports. Enforcement of anti-bullying policies should focus on education, prevention, and restorative practices rather than exclusionary discipline. Complaints alleging discrimination or harassment based on a student's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination, bullying, or harassment complaints.

Privacy and Confidentiality

Emerson Waldorf School shall ensure that all personally identifiable and medical information relating to transgender and gender nonconforming students shall be kept confidential in accordance with applicable state, local, and federal privacy laws. Teachers, administrative staff, and student support staff shall not disclose any information that may reveal a student's transgender status to others, including parents or guardians and other school staff, unless legally required to do so or unless the student has authorized such disclosure. In the rare instance that the school is legally required to disclose a student's transgender status, the school should provide the

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student an opportunity to make that disclosure themselves, where practicable. This would include providing the student with any support services the student would need to make the disclosure in a safe and supportive environment.

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. The fact that a student chooses to use a different name, to transition at school, or to disclose their transgender status to staff or other students does not authorize school staff to disclose a student's personally identifiable or medical information. Before contacting the parent or guardian of a transgender or gender nonconforming student, school staff should ask the student whether to use their chosen name and the pronouns that correspond to their gender identity or whether to use their legal name.

Disclosing this information to other students or parents or other third parties may violate privacy laws, such as the federal Family Educational Rights and Privacy Act (FERPA), as well as constitutional privacy protections. Additionally, disclosure or misuse of this information may establish a hostile environment for a transgender or gender nonconforming student, potentially subjecting them to bullying and harassment by peers, discrimination by school staff, or family rejection.

Names, Pronouns, and School Records

Every student at EWS has the right to be addressed by a name and pronouns that correspond to the student's gender identity. Regardless of whether a transgender or gender nonconforming student has legally changed their name or gender, EWS will allow such students to use a chosen name and gender pronouns that reflect their identity. It is recommended that school staff privately ask transgender or gender nonconforming students how they want to be addressed in class and in the school's communication with the student's parents or guardians. Some transgender and gender nonconforming youth may request to use "he" or "she" pronouns, while others may feel most comfortable being addressed by gender-neutral pronouns such as "they" or "ze" or just referred to by their names (without pronouns).

If the student has previously been known at school by a different name, the school administration will direct teachers and staff to use the student's chosen name and appropriate pronouns. To ensure consistency, every effort will be made to immediately update student education records (such as attendance reports, class rosters, transcripts, electronic records, email addresses, etc.) with the student's chosen name and appropriate gender markers.

In some circumstances, school staff may be specifically required by law to record a student's name or gender as it appears on documents such a current birth certificate. In those instances,

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school staff shall record this information in a separate, confidential file to avoid the inadvertent disclosure of the information. All records that are not specifically required by law to match government-issued documents shall be updated upon a student's request.

Access to Gender-Segregated Activities and Facilities

Emerson Waldorf School affirms that all students have the right to be treated according to their gender identity, including equal access to campus facilities. At the same time, EWS also acknowledges that some students, for a variety of reasons, may feel uncomfortable using shared facilities. This may include transgender students or students with disabilities or physical differences. EWS will accommodate students upon request by providing a safe, non-stigmatizing alternative.

With respect to all restrooms or changing facilities, students shall have access to facilities that correspond to their gender identity. Students, including nonbinary students, should determine which facilities are consistent with their gender identity.

Any student who is uncomfortable using a shared gender-segregated facility, regardless of the reason, shall, upon the student's request, be provided with a safe and non-stigmatizing alternative. This may include, for example, access to a nearby private restroom or office, or a separate changing schedule. However, such alternatives shall only be provided to a student upon that student's request. Requiring a transgender or gender nonconforming student to use a separate space against their wishes threatens to stigmatize the student and disclose their transgender status to others. Under no circumstances may students be required to use gender-segregated facilities that are inconsistent with their gender identity.

EWS shall designate any existing facilities that are designed to be used by only one person at a time as accessible to all students regardless of gender. However, under no circumstances shall a student be required to use a single-user facility because they are transgender or gender nonconforming. EWS will continue to incorporate single-user facilities and greater privacy into new construction or renovation, and to assess ways to increase privacy for all students in existing facilities.

Overnight Trips

Teachers should have open conversations with youth about overnight accommodations well in advance of the trip, and provide all students with the opportunity to make reasonable requests. Preparation should include upfront communication about rooming, facilities, and expectations for the event.

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Students shall be allowed use of an overnight facility that corresponds with their gender identity. Transgender and nonbinary students will be consulted in the planning process, to address any potential concerns and needs for privacy. If applicable, a student's parent/guardian should also be consulted, unless there are privacy concerns in doing so. Under no circumstances should a transgender or nonbinary student be denied the opportunity to participate in any overnight trips or other opportunities based on overnight accommodations. No student should be required to be housed separately or in a manner that does not reflect their gender during any school sponsored trip or event. The school shall make all efforts to accommodate any student who desires greater privacy in overnight trips.

Movement and Athletics

All students shall be permitted to participate in movement classes and sports in a manner consistent with their gender identity.

Other Gender-Based Activities, Rules, Policies and Practices

Teachers should critically evaluate all gender-based activities, rules, policies, and practices—including classroom activities and practices that separate boys and girls—and maintain only those that serve a clear and overwhelmingly justifiable educational purpose. Such practices are subject to review by the College of Teachers. 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 Code

Emerson Waldorf School's dress code may not be enforced based on gender or gender stereotypes. Students shall have the right to dress in accordance with their gender identity and expression, including maintaining a gender neutral appearance within the constraints of the dress code adopted by the school. School staff shall not enforce the dress code more strictly against transgender and gender nonconforming students than other students. All students have access to the same clothing options regardless of gender, and students cannot be disciplined for wearing clothes associated with a particular gender if those clothes conform to the dress code.

Student Transitions

The school shall accept the gender identity that each student asserts. There is no medical or mental health diagnosis or treatment threshold that students must meet in order to have their gender identity recognized and respected. Students ready to socially transition may initiate a process to change their name, pronoun, attire, and access to gender-related programs, activities,

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and facilities consistent with their gender identity. Each student has a unique process for transitioning. Each student may choose to identify a person or team within the school to support their transition, and those individuals will work with the student to create a plan for support, education, and communication, as needed. They will meet with the parents and student to discuss the school's role in supporting the student's transition. This would include the timing of the transition, planning responses to questions from school staff and students, and correcting the student's information in the school records, among other issues. This meeting should be conducted without any additional school personnel, unless the family or student specifically requests or consents to their presence.

Emerson Waldorf School must create safe and affirming school environments for transgender students, even if the student's family is unsupportive. In those instances, the student will meet with their support team to discuss the ways that the school can support the student, such as providing access to the appropriate restroom or use of a chosen name. That discussion should also include what the school can do to support the student's safety at home, which could include providing the family with resources to better understand their child's needs and contingency planning for the possibility that the family inadvertently finds out the child's transgender status. Regardless, EWS will respect a student's gender identity or expression, whether or not a family is supportive.

This policy incorporates specific language and best practices recommended by:

GLSEN

<https://www.glsen.org>

HRC Foundation's Welcoming Schools

<https://welcomingschools.org>

American Psychological Association

<https://www.apa.org/ed/schools/primer/gender-identity>