

FAQ: Cherry Hill Public Schools Transgender Students Policy

The Cherry Hill Board of Education is committed to providing a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board anticipates adopting a policy in February 2016 to address the needs of transgender students. This policy would ensure all students, including transgender students, have equal educational opportunities and equal access to the school district's educational programs and activities.

Below are answers to Frequently Asked Questions regarding this new policy:

Q: What is meant by the term "transgender"?

A: "Transgender" describes students whose gender identity is different from their gender assigned at birth.

Q: Why is the Board of Education developing a policy for transgender students?

A: The Board of Education is committed both to ensuring all students have equal educational opportunities and equal access to CHPS educational programs and activities, and to complying with Federal and State laws and regulations regarding transgender students.

Q: What is the law regarding transgender students?

A: [New Jersey's Law Against Discrimination \(LAD\)](#) prohibits, among other things, discrimination based on a person's gender identity or expression.

The LAD specifically prohibits discrimination in places of public accommodation, and mandates that in sex-segregated public accommodations, such as restrooms or locker rooms, a person must be allowed to use the facility consistent with their gender identity or expression. The LAD specifically defines public schools as places of public accommodation covered under the statute.

The LAD requires that students in public schools be permitted to use sex-segregated facilities, such as bathrooms and locker rooms, in accordance with their gender identity or expression.

Q: What is "gender identity"? What is "gender expression"?

A: For purposes of the Transgender Students Policy, "gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

Q: Who determines whether a student is transgender?

A: The Board of Education believes the responsibility for determining a student's gender identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent/guardian. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender identity, or any other evidence that the gender identity is sincerely held as a part of the student's core identity.

Confirmation of the students' asserted gender identity must include a letter from a parent/guardian to the Superintendent of Schools indicating the student is gender non-conforming – meaning the student's gender expression differs from stereotypical expectations. In the event the parent/guardian does not consent to the student's gender identity, the Superintendent or designee will meet with the parent/guardian and the student to determine how the student's gender identity shall be addressed by the school district.

Q: How does the policy address the use of restrooms and locker rooms by transgender students?

A: Transgender students shall have access to the restroom that corresponds to their gender identity. The use of a "gender neutral" restroom, if available, shall be a matter of choice by a transgender student.

Transgender students shall have access to locker room facilities that correspond to their gender identity. The school district will make available a reasonable alternative changing area for a transgender student, if requested.

Q: What about transgender students who want to participate in sports?

A: A transgender student's participation in the school district's intramural athletic programs shall be in accordance with the eligibility requirements for participation in the interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.

Likewise, a transgender student's participation in the school district's interscholastic athletic programs shall be in accordance with the eligibility requirements for participation in the interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.

Q: How does the policy address what happens if a student changes his or her mind about his/her gender identity?

A: In the event a student no longer identifies with a previously asserted gender other than his/her gender at birth, a parent/guardian of the student must submit a letter to the Superintendent of Schools indicating the student is no longer gender nonconforming. The Superintendent or designee will meet with the parent/guardian and the student to discuss the transition of the student from gender nonconforming to conforming. In the event the parent/guardian does not consent to the student's assertion the student is no longer gender nonconforming, the Superintendent or designee will meet

with the parent/guardian and the student to determine how the student's gender identity should be addressed by the school district.

Q: May parents/guardians request to be notified about transgender students at a school?

A: The Cherry Hill Public Schools and staff members will ensure the privacy of any student's transgender status and will not disclose or acknowledge a student's transgender status unless required to in accordance with any Federal law, State statute, administrative code, or if the parent/guardian and student have authorized such disclosure.