



## **Guidance on the Basis of Gender Identity**

Newton Public Schools is committed to upholding our values of inclusion and equity for all of our members by providing a learning environment in which transgender and gender expansive students, staff, and family members are welcomed and can engage in their full identities.

Our commitment is that all members of our community, regardless of gender identity and gender expression, feel safe leading authentic lives. We will continue to support non-discriminatory systems that strive towards understanding and acceptance of gender diversity. Our schools will provide educational and social opportunities that affirm, support, and/or acknowledge gender identity and gender diversity.

Members of the NPS Faculty, Staff, and Learning Community will engage in ongoing education about best practices to affirm all gender identities and expressions and will encourage opportunities for developmentally- appropriate learning, growth, and repair.

### **Guidance**

To help foster a safe and supportive environment for all students, and in alignment with guidance from [MA DESE](#), relative to gender identity, our practices will be guided by the following:

#### **Names/Pronouns**

The Newton Public Schools supports all students' right to use a preferred name and pronouns of their choosing while at school. All students are encouraged to record their preferred name and their pronouns in the Student Information System, i.e. Aspen, so that all NPS employees may use these names and pronouns when referring to a student. Students may also decide to have their preferred name as listed in Aspen displayed in other NPS Systems such as Google Workspace for Education. Students should reach out to their counselor, dean and/or school's office to make this change.

Massachusetts' law recognizes common law name changes. An individual may adopt a name that is different from the name that appears on their birth certificate provided the change of name is done for an honest reason, with no fraudulent intent. Hence, when requested, schools should accurately record the student's chosen name on all records, whether or not the student, parent, or guardian provides the school with a court order formalizing a name change.

#### **Privacy/Confidentiality**

Records with a student's assigned birth name and sex, name change for gender identity purposes, gender transition, medical information related to gender identity or other information of a similar nature, if such records exist, will be maintained in a separate, confidential file. The school district shall ensure that all information in relation to a student's gender identity shall be kept confidential in accordance with applicable, federal, state and local privacy laws and regulations. Information that may reveal a student's gender identity to others will not be disclosed unless the school is legally required to do so, or unless the disclosure has been authorized by the student, or in the case of a younger student, by the student's parents/guardians/caregivers. Schools will consult with a student and the parents/guardians/caregivers of the student if they are involved in the process, or in the

case of a younger student with the student and the student's parents/guardians/caregivers, when determining whether any such information should be disclosed, and if so, how much information should be disclosed and to whom.

### **Learning Resources**

Modeled on the guidance of the [Massachusetts Department of Elementary and Secondary Education \(DESE\)](#), Newton Public Schools' curriculum embraces diverse perspectives and experiences, challenging stereotypes and biases related to gender identity, gender expression, and gender roles across cultures. We integrate LGBTQ+ inclusive content across all grade levels (PK-12) and subjects in age-appropriate practices, and provide ongoing professional development for educators. Collaborating with community partners, we ensure our curriculum reflects the needs of all of our students.

We respect parental rights in accordance with [Massachusetts state law](#). While parents/guardians/caregivers may [opt out](#) of the health curriculum specifically related to sexual reproduction, our commitment to gender and sexuality education remains firm.<sup>1</sup> Our curriculum aligns with state guidelines to promote understanding and inclusion of diverse identities and orientations.

### **Facilities**

A student may access the restrooms, locker rooms and changing facility that corresponds to the student's gender identity. Upon a student's request, any student who is uncomfortable using a shared facility, regardless of the reason, shall be provided with a safe and non-stigmatizing alternative. Based upon availability and the appropriateness to address privacy concerns, accommodations that may be offered to a student who desires increased privacy may include, but are not limited, to: (a) use of a nearby private area (such as a gender neutral restroom, gender neutral changing room, nurse's restroom, or a nurse's office); (b) a separate changing schedule, or (c) use of a private area within a public area (such as, an area separated by a curtain, or a bathroom or changing stall with a door. Schools will consult with a student and the parents/guardians/caregivers/guardians/caregivers of the student if they are involved in the process, or in the case of a younger student with the student's parents/guardians/caregivers, to ensure accessibility and address any concerns that may arise.<sup>2</sup>

### **Field Trips**

All students have the right to fully access and participate in all educational field trips including day trips and overnight trips.

When planning a trip, trip leaders should be proactive in thinking about how to implement strategies that help all students feel as safe and supported as possible. Educators should not wait for a

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<sup>1</sup> Parents and guardians have the legal right to exempt their child/ren from curriculum that primarily involves human sexual education courses (typically sex education or discrete units of health education or biology courses). M.G.L. c. 71, sec. 32A; 603 CMR 5.02. This does not include aspects of instructional lessons and resources such as where sexuality, gender identity, or sexual orientation themes are embedded in the course material or instructional lesson but not the course's primary subject.

<sup>2</sup>Non-Discrimination on the Basis of Gender Identity, Cambridge Public Schools, 2018

student to ask a question; educators should be prepared with the answers before students even ask. Throughout the trip planning and communication process, educators should provide safe and supportive opportunities for students and families to ask questions.

While researching and planning a trip, trip leaders should proactively research the accessibility of all sites being visited. For example, how are bathrooms organized and are single stall or all gender bathrooms available? Some students may wonder about safety, in light of their identity, depending on the location (particularly true for overnight trips that are further away from Newton.) Trip leaders should do research and be prepared to share this information with their students.

Room assignments for overnight trips are done by the faculty members organizing the trip after gathering data from students and families. Students will complete a room request form that includes their gender identity along with the names of some students with whom they would like to room. While the school cannot guarantee meeting all requests, all students and families will be given the opportunity to ask rooming questions privately and all students will be supported in feeling safe and supported with their roommates. Room assignments are generally done by gender identity while also taking into account the information and requests gathered from students. All students and families will sign-off on roommate assignments.

### **Physical Education Classes & Athletics**<sup>3</sup>

No student shall be denied in any implied or explicit manner the opportunity to participate in any interscholastic activity because of gender. A school may establish separate teams for males and females for interscholastic competition in a sport provided that both teams receive equal instruction, training, coaching, access to available facilities, equipment, opportunities to practice and compete.

If a school offers a single team in a particular sport, it may not restrict eligibility based on gender unless such a restriction is necessary to ensure that the school's gendered designation of athletic opportunities complies with Title IX.

A student shall not be excluded from participation on a gender-specific sports team that is consistent with the student's bona fide gender identity.

It is a recommended best practice that schools communicate with their opponents as necessary about the gender-specific needs of their team in order to promote inclusion – e.g., to ensure that appropriate locker room facilities are available, that announcers use athlete's correct pronouns, etc.

### **Gender-Based Activities, Rules and Practices**

Schools should review and evaluate any gender-based activities, rules and practices currently being utilized, and replace such gender-based activities, rules and practices with gender-inclusive alternatives. If there is a clear and sound pedagogical purpose to retain a gender-based activity, rule or practice, a student must be allowed to participate in the activity, rule or practice in a manner consistent with their gender identity.

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<sup>3</sup> MIAA Handbook, Rules & Regulations Governing Athletics, July 1, 2023 – June 30, 2025, General Rules #43: Gender & Participation, p. 30-31