

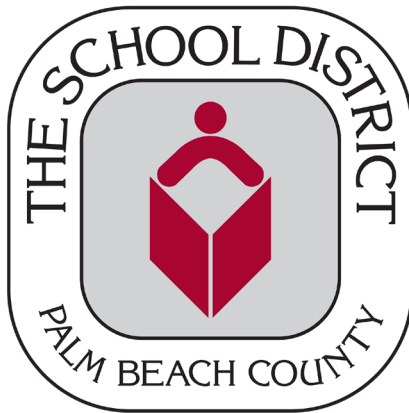
The School District of

Palm Beach County

LGBTQ+

Support

Guide



Where all means ALL!

The School District of Palm Beach County (SDPBC) LGBTQ+ Support Guide (Guide) is updated periodically to reflect current legislation, rules, policies, and information available to promote a safe, supportive, and inclusive learning environment for LGBTQ+ students and families. School administrators and personnel should be careful to only consult the most recent version.

8/10/2023

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I. Background and Rationale

- District Mission Statement

The mission of the School District of Palm Beach County is to educate, affirm, and inspire each student in an equity-embedded school system.

- District Vision Statement

We envision...

The School District of Palm Beach County is an educational and working environment, where both students and staff are unimpeded by bias or discrimination. Individuals of all backgrounds and experiences are embraced, affirmed, and inspired. Each and every one will succeed and flourish.

The School District of Palm Beach County will take ownership for students' academic mastery, emotional intelligence, and social-emotional needs by creating environments where students, families, staff, and communities will develop agency and voice.

A joy of learning is fostered in each student and a positive vision for their future is nurtured. Each student's cultural heritage is valued and their physical, emotional, academic, and social needs are met.

...WE SEE YOU.

- District Equity Statement

The School District of Palm Beach County is committed to creating safe, equitable and inclusive learning environments that ensure students have what they need to be successful in life.

The School District of Palm Beach County will provide each student – regardless of race, ethnicity, economic status, disability, national origin, religious affiliation, gender identity or sexual orientation – access to any and all opportunities, resources and support they need to develop agency, voice and achieve their dreams.

The School District of Palm Beach County will embrace, celebrate and honor our students, families, staff and community members and their unique cultural histories, while ensuring each student achieves personal, academic and sustainable success.

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- Executive Summary

The School District of Palm Beach County (SDPBC) LGBTQ+ Support Guide (Guide) is provided as evidence of our District dedication to our mission to educate, affirm, and inspire each student in an equity-embedded school system. We are committed to empowering all students to reach their highest potential which includes creating a positive and supportive school climate. We recognize that students who feel accepted at school are more highly motivated, engaged in learning, and committed to achieving the best possible education.

Through this spirit of inclusion and support, the Guide is designed to provide information for administrators regarding LGBTQ+ issues. As educators, we are all responsible for our students' well-being and success. This responsibility includes understanding how to create safe spaces for LGBTQ+ students. Creating a supportive environment requires a comprehensive approach that includes policies, guidance, and professional development. This Guide is a component of that comprehensive approach and includes clear action items for faculty, staff, students, and their families.

The Guide intends to improve the manner and consistency for administrators to implement existing federal, state, and local laws and policies concerning harassment and discrimination. Recognizing that LGBTQ+ students often face discrimination, stigmatization, bullying, and worse, this Guide reflects the school districts' compelling interest in ensuring that students have a productive and safe learning environment.

The recommendations provided in this Guide do not supersede the District's obligation to comply with Board policies, and applicable state and federal laws. Each student's needs should be evaluated on a case-by-case basis and all support plans should be reviewed on an on-going basis and revised as needed to ensure the student has equal access and equal opportunity to participate in all programs offered by the school.

II. Guide Implementation

Schools and school leadership should use the Guide with a student-focused approach that includes parental notification and engagement when navigating the unique needs and concerns of LGBTQ+ youth. To help you navigate the language throughout the Guide, please feel free to click [here](#) for current terminology related to the LGBTQ+ community.

The Parents' Bill of Rights¹ requires school staff to notify parents of any change in services or monitoring that are related to a student's *"Mental, Emotional or Physical health or well-being"* or

¹ Florida Statute 1014 is also known as "Parents' Bill of Rights" and can be found at this link http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1014/1014.html and http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1001/Sections/1001.42.html

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the school's ability to provide a safe and supportive environment. Please contact the Office of General Counsel for additional legal guidance related to the parental notification requirement.

The Parental Rights in Education law also prohibits schools from discouraging or prohibiting parents from being engaged in critical decisions affecting their student's mental, emotional or physical health or well-being. The statute also prohibits district employees from encouraging students to withhold information from a parent and allows for disciplinary action to be taken against any employee who encourages, coerces or attempts to encourage or coerce a minor child to withhold information from a parent. Please contact the Department of Safe Schools or the Office of General Counsel before contacting parents or guardians if you have any questions or concerns about this issue.

The use of this Guide, along with the action items, will ensure that the experiences of students are equitable across schools and handled with consistency between administration, faculty, and staff. The goal is the consistent existence of a school culture and classroom environment that values, respects, and supports the needs of all students. Administrators should provide their faculty and staff with this Guide.

This Guide is not intended, nor designed to be utilized in classroom instruction or as a part of any Pre-K-12 curriculum. Faculty and staff should always use their professional judgment and the grade-level and/or course-specific instructional standards, with support from their administration, when seeking out age-appropriate resources, tools, or materials to be used in the classroom.

For additional support, the Regional Offices, District Office, and the Office of General Counsel stand ready to assist.

III. Creating Safe Spaces for LGBTQ+ Students

- Student Privacy, Confidentiality, and Educational Records

All students' privacy rights will be respected and personal information about the student, including their sexual orientation, gender identity, and gender expression, will not be shared without the parents' consent. Parents have the right to decide when, with whom, and to what extent personal and private information about their child is shared. As students navigate various situations at school, school counselors and other staff should be mindful of the available support and resources to help ensure student success.

The simple knowledge of a student's sexual orientation and/or gender identity, without related concerns about the student's health, safety, or well-being, would not be considered a change in services or monitoring. For parent(s) who have questions about their child being LGBTQ+ and have contacted the school district, faculty and staff must not intentionally withhold information about their child's identity unless a reasonably prudent person would believe that disclosure would result

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in abuse, abandonment, or neglect, as those terms are defined by the law. Students should be encouraged to speak with their parents about sensitive and personal information.

When considering disclosure of a students’ sexual orientation or gender identity, school officials must carefully consider (1) whether there is a compelling reason for doing so (i.e. does the Florida Education Code mandate disclosure or is the disclosure necessary to protect the health, safety or well-being of the student); and (2) how to accomplish this through the least intrusive means.

All persons, including students, have a right to privacy and this includes the right to keep one’s gender identity private at school. Information about a student’s transgender status, transition process, or legal name constitute confidential medical information. ***Disclosing this information to other students and/or other students’ parent(s)/guardians or other third parties without consent of the student may violate privacy laws, such as FERPA.***

- Affirmed Names / Nicknames

With parental consent, all students shall be referred to by their preferred/nickname. A student or parent/legal guardian of a student who requests that the student be called by a name other than their given, legal name, must submit PBSD 0636 – New and Returning Student Registration Form. All District employees or contractors must address students by the student’s legal name (as shown in SIS) or the preferred/nickname (as shown in SIS). NOTE: Legal Name is defined as either the student’s first name, middle name, last name, and/or any derivative thereof, i.e. Michael as Mike.

In order to provide all students with the opportunity to be called by their preferred name/nickname, the following procedures are outlined on how to enter the Student Preferred Name into SIS. These procedures must be followed whenever a student (or parent/guardian of a student) requests that the student be called by a name other than their legal first name.

Steps:

1. Parents and students are informed that PBSD 0636 - New and Returning Student Registration includes an optional field in the first line titled **Student Preferred Name/Nickname**.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY TEACHING AND LEARNING									
New and Returning Student Registration									
OFFICE USE ONLY									
Student Number	School Number	Transportation	Grade	EN CD	FLEID	Entry Date	SIS Entry	Birth Verification	Address Verification
Complete ALL AREAS on this form. Do not leave any area unanswered. Correct any preprinted information. A registration must be completed for each student each school year.									
Student First Name	MI	Last Name	Suffix	Student Preferred Name/Nickname					
Student Address						City		State	Zip Code
Social Security # (optional)	Student Birth Date	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female		Country of Birth	Place of Birth				

2. Parents complete this form with the preferred name/nickname and any other updates. The form is returned to school with parent signature on page 3.
3. Data processors update the new preferred name/nickname information into SIS.

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4. Once information is updated in the SIS, Student Preferred Name/Nickname will appear in any display of student name.
5. Parents/Guardians may request the use of a preferred/nickname for their student when completing the new and returning student registration form.

If a student wishes for their name to be changed on official records, such as transcripts, they need to provide documentation of legal name change. Per Fla. Statute 1001.42(8) (c), parental notification is required for selected non-academic records. Examples include but are not limited to: diploma, yearbook, ID Badges, Google Classroom, lunch line rosters, general rosters, substitute plans, and newspapers/newsletters. Furthermore, care should be taken so that the student's affirmed name is used in instances such as but not limited to calls for early dismissal, reporting to the clinic, etc. so potentially uncomfortable situations where the student could be misnamed do not take place.

Affirming our students will often come about by calling students by their preferred/nickname. Transgender, nonbinary, and gender-expansive students have the right to discuss and express their gender identity and expression, as well as sexual orientation, openly and to decide when, with whom, and how much to share private information. The School District of Palm Beach County is required to abide by state and federal laws, including The Family Educational Rights and Privacy Act (FERPA). For additional support on the process for submitting preferred/nickname, contact the administration at the student's school. For support regarding interpretation or legal guidance on using preferred/nicknames, contact the Office of General Counsel.

- **Pronouns for Transgender Students**

Florida Statute 1000.071 "Personal titles and pronouns" [Effective 7/1/2023], prohibits employees of K-12 institutions from asking students to provide their personal titles or pronouns. The law also prohibits K-12 schools from requiring employees or students to refer to other persons by that person's preferred title and pronoun if such personal title or pronoun do not correspond to the person's sex assigned at birth.

Gender markers may not be changed on official school records without an amended birth certificate or court order. The state of Florida recognizes male and female as legal genders. **Reminder:** Nonconsensual disclosure of personally identifiable information (PII), such as a student's birth name or sex assigned at birth, could be harmful to or invade the privacy of transgender students and may also violate the Family Educational Rights and Privacy Act (FERPA). A school may maintain records with this information, but such records must be kept confidential.

As with other related issues involved with creating a safe and supportive environment for transgender, nonbinary and gender-expansive students, the best course is to engage the student and the parent(s)/guardian(s), with respect to preferred name. **In order to prevent alienating a**

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student, teachers and schools should respect and work with students on a case-by-case basis to ensure that individual needs are met and respected.

For additional information regarding pronouns, refer to Florida Statute 1000.071 (2023) or contact the Office of General Counsel.

- Student Dress Codes and Uniforms

As outlined in [School Board Policy 5.182 \(Student Dress Codes and Uniforms\)](#), the District-Wide Dress Code must be observed in all District schools. A principal, with input from the School Advisory Council (SAC), and in collaboration with PTA/PTO/PTSA may expand upon the District-wide Dress Code and implement a gender-neutral school dress code and appearance policy, provided such policy incorporates the provisions of the District-wide Dress Code as a minimum standard and is consistent with the provisions of Policy 5.182. Furthermore, the Board allows the opportunity for individual schools to implement a Higher Standard (Uniform) Dress Code consistent with the guidelines as provided in Policy 5.182.

Students may dress in ways that are consistent with their gender expression at any school sponsored event or function, while still abiding by Policy 5.182. Policy 5.182 should not be enforced in a manner that impacts students in a discriminatory or disparate manner. The overarching theme in the creation of a safe environment for LGBTQ+ students is equal access, equal opportunity and equal protection. For questions regarding student dress code, contact the administration at the student's school.

- Restrooms and Changing Facilities

Florida Statute 553.865 (2023) requires that females and males should be provided restrooms and changing facilities for their exclusive use, respective to their sex at birth. In addition to gender-specific restrooms and changing facilities, another option is a single-user restroom or changing facility. The District provides gender-specific restrooms, locker rooms and changing facilities, designated for males or females. Based on District-wide signage, unless it is a single-user restroom, restrooms are designated for exclusive use by males or females.

Some students may not be comfortable using gender-specific restrooms or changing facilities. If so, the use of a safe and adequate alternative, such as a single-user restroom, is appropriate. As a proactive action, administrators should take steps to identify single-user restrooms on campus.

Schools will accommodate students requesting access to single-user restrooms and/or changing facilities. As emphasized in other sections of this Guide, this discussion should be addressed through dialogue with student, parent(s)/guardian(s), and school leadership and in accordance with applicable State and Federal law and State Board of Education rules.

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For support with locating a single-user restroom or changing facility, contact the administration at the student's school. For additional information regarding the requirement for gender-specific restrooms and changing facilities or single-user options, review Florida Statute 553.865 (2023).

- **Multiday Field Trips**

As referenced in [School Board Policy 2.40 \(Field Trips\)](#), a student's parent or Guardian or an Emancipated Student shall be notified prior to any multiday field trip whether room assignments for overnight lodging are or are not separated by biological sex at birth. District procedures for overnight lodging must include accommodations or modifications in order to ensure that all eligible students have the opportunity to participate in the field trip.

If students on a multiday field trip will not be separated by biological sex at birth, the impacted parent(s)/guardian(s) must be notified of the manner of separation. Schools have an obligation under FERPA and other guidance to maintain the student's privacy and shall **not disclose** the student's transgender status to other students or other students' parent(s)/guardian(s). This may require extra planning to ensure overnight lodging room assignments are approved by the parent(s)/Guardian(s). Every situation is unique and should be handled on a case-by-case basis with assistance, if needed, from the Office of General Counsel.

For more information, please review the Field Trip Permission/Release (PBSD Form 0755, 0755SP, 0755CR, and 0755PO) or the Multiday Field Trip Permission/Release (PBSD Form 2674, 2674SP, 2674CR, and 2674PO). For questions about the field trip, contact the administration at the student's school or the school-based contact on the Field Trip Permission/Release form.

- **Genders-Sexualities Alliances (GSAs)**

Genders-Sexualities Alliance/Gay-Straight Alliance (GSAs) or Diversity Clubs are student clubs allowing students with a common interest to get together and have events or discussions about that interest. GSAs are made up of students of any sexual orientation and/or gender identity. Some GSA members are straight-identifying allies. GSAs can be support groups, or educational or civic clubs dedicated to making the school and community a safer space for all individuals.

According to [School Board Policy 2.121 \(Student Activities in Schools\)](#), membership in non-curriculum related student groups shall be voluntary and open to all students. It is important to note that the teacher selected to chaperone shall not participate in, direct, or control the activities of the club. Furthermore, all student clubs, whether curriculum or non-curriculum related, shall have the same access to meeting space, listing in school handbooks, school newspapers, the yearbooks and bulletin boards. Meetings of such groups may be conducted on school premises during non-instructional times.

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Parents/Guardians have the right to learn about the nature and purpose of clubs and activities offered at his or her minor child's school, including those that are extracurricular. In accordance with [State Board of Education Rule 6A-10.085](#), information about supplemental programs and activities at your child's school may be found on the school's website.

For additional information about how to start, maintain, or supervise a GSA, contact appropriate staff from the Department of Secondary Education.

- Athletics

Pursuant to Florida Statute §1006.20, the Florida High School Athletic Association ("FHSAA") is designated as the governing nonprofit organization of athletics in Florida public schools. The FHSAA is responsible for adopting and promulgating the rules regarding eligibility requirements for all students who participate in high school athletics in Florida. The FHSAA Handbook for year 2022-2023 Section 16.8 outlines the FHSAA's rules for participation in interscholastic athletic teams or sports. The rule states:

16.8.2 Biological Sex at Birth.

16.8.2.1 Biological Male. Florida Statute 1006.205 prohibits a student whose biological sex at birth was male, from participating on teams or sports designated as female, women, or girls. If a biological male is participating, the individual or team must compete in the male, men, or boys division.

16.8.2.2 Biological Female. A student whose biological sex at birth was female, may participate on teams or sports designated as male, men, or boys.

Please contact the District's Director of Athletics for additional guidance regarding FHSAA rules.

IV. Statistics and Data

LGBTQ+ youth commonly experience bullying, harassment and discrimination because of their sexual orientation, gender identity or gender expression. The statistics provided are shared to convey the importance of providing families with the tools to support and affirm their LGBTQ+ child.

In recent decades, academic and medical research has confirmed that transgender youth in particular face severe discrimination in the school environment. A Trevor Project survey in 2020 demonstrated that 40% of transgender students reported that they had been physically threatened or harmed due to their gender identity.

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According to the Human Rights Campaign's resources on transgender violence, bullying, mistreatment or harassment toward students that are transgender or gender nonconforming is pervasive in schools across the United States. The data showed:

- 75% of transgender students reported feeling unsafe at school and those who were able to persevere had significantly lower GPA's, were more likely to miss school out of concern for their safety and were less likely to plan on continuing their education
- 9 out of 10 transgender students reported being "verbally harassed due to their gender expression" and more than half reported they have been "physically assaulted"
- More than one third of transgender students reported they have "heard school staff make homophobic statements, sexist remarks or negative remarks about someone's gender expression"
- 42% of transgender people have attempted suicide

Research from the Family Acceptance Project found that LGBTQ young people who experienced high rates of accepting behaviors from their families, when compared with LGBTQ young people who experienced rejection from their families, were:

- More than 3 times less likely to attempt suicide;
- More than 3 times less likely to think about suicide;
- Less likely to have substance abuse problems; and
- Had higher self-esteem, better family relationships, and stronger social support.