



INTERIM GUIDELINES: GENDER & SEXUALITY PROTECTIONS FOR CPS STUDENTS

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I. PURPOSE

These Guidelines set out protocols for schools to understand the gender and sexuality protections for all CPS students with special considerations for the needs of Lesbian, Gay, Bisexual, Transgender, and Queer or Questioning (LGBTQ+) community members. These Guidelines cannot anticipate every situation that might occur with respect to students' gender identity and/or sexuality. Consequently, the needs of each student must be assessed on a case-by-case basis.

These Guidelines take a gender-affirming approach. The goal is to create an environment in which all students are able to identify and express their gender and sexuality, and achieve healthy development including social, emotional, and academic success. This approach includes schools affirming students' gender identities and being supportive during gender affirmation processes.

II. DISCRIMINATION AND HARASSMENT

It is the goal of the Chicago Board of Education to create a learning environment in all CPS communities where all students are protected from bullying, discrimination, and harassment. It is the responsibility of each employee to ensure that students who are LGBTQ+, as well as their siblings and family members, have a safe and welcoming school environment. This includes ensuring that any incident of discrimination, harassment, or violence is handled in accordance with the Addressing Bullying and Bias-Based Behaviors Policy (22-0622-PO5), Comprehensive Non-Discrimination, Harassment and Retaliation Policy (24-0725-PO1) and Student Code of Conduct (24-0627-PO7).

A. National Legal Protections

Title IX of the Educational Amendments of 1972 (20 U.S.C. §1681-§1688) specifically protects all individuals from discrimination and harassment on the basis of their gender, gender identity, and sexual orientation. A number of Illinois State and City of Chicago laws, including the Illinois Human Rights Law (775 Ill. Comp. Stat. Ann. 5/1-101, et seq.) and the Chicago Human Rights Ordinance (Chicago Municipal Code § 6-10-010 et seq.), also specifically protect LGBTQ+ individuals.

B. CPS Policies

These Guidelines are supported by the following CPS policies:

- [Comprehensive Non-Discrimination, Harassment and Retaliation Policy](#)
- [Addressing Bullying and Bias-Based Behaviors Policy](#)
- [Student Code of Conduct](#)
- [Comprehensive Mental Health and Suicide Prevention Policy](#)
- [Local School Wellness Policy](#).

As these Guidelines are supported by the above CPS policies, it is the expectation that all CPS schools, including all District, Charter, Contract, and Options schools, regardless of school governance, adhere to the Guidelines set forth in this document. All students, staff, vendors, and volunteers are required to adhere to these guidelines, and administrators are responsible for community members' awareness and compliance to these guidelines.

C. Reporting

Complaints regarding LGBTQ+ discrimination, harassment, or bias-based harm can be filed with the Office of Student Protections & Title IX (OSP) for student victims. Any employee who witnesses discrimination or harassment against a student or employee based on their gender identity or sexual orientation has an obligation to report this discrimination and/or harassment to OSP.

School-based staff who witness or become aware of any and all instances of bias-based behaviors must report to the principal who must complete an Aspen Report and answer the question regarding bias-based harm.

Students who experience or witness bias-based behaviors are to report these to a school-based staff member. Alternatively, students can make reports directly to the Office of Student Protections and Title IX in the following ways:

1. Online: Complete and submit a complaint form located at cps.edu/osp
2. Via Email: Submit complaints to osp@cps.edu
3. Via Telephone: Submit complaints to 773-535-4400.
4. In Person or By Mail: Submit complaints directly to OSP in person or via USPS mail to 110 N. Paulina St. Chicago, IL, 60612.

III. GUIDANCE

All students need a safe and supportive school environment to progress academically and developmentally. CPS administrators, faculty, staff, and students all play an important part in creating and sustaining a supportive environment. In order to better support LGBTQ+ students, school administration and their designees shall ensure that these Guidelines are implemented at the school level.

A. Self Determination

All students have a right to self-determination. This includes the right to keep their sexuality and gender identity, including transgender, non-binary, or gender nonconforming identities, confidential at school. Information about a student's gender identity, legal name, or sex assigned at birth may also constitute confidential medical and student record information. Disclosing this information may violate state and federal privacy laws.

All students, including LGBTQ+ students, have the right to openly discuss and express their sexuality, gender identity, and gender expression at school and school activities and to decide when, with whom, and how to share private information. School staff shall not disclose information that may reveal a student's transgender or non-binary identity or gender-nonconforming presentation without the student's consent or unless authorized by the Law Department or the Office of Student Protections. School staff should confirm with the student how they would like to be addressed in communications with their parents/legal guardians. A Gender Support Plan can be made in order to document a student's self-determined desires regarding confidentiality and disclosure.

B. Names/Pronouns

Student Rights: Students have the right to be addressed by a name and pronouns that correspond to the gender identity they consistently assert at school. No student is required to obtain a court-ordered name change or submit medical or psychological documentation as a prerequisite to being addressed by their affirmed name and pronouns. Parent(s)/guardian(s) consent is not required for a student to be addressed by their affirmed name and pronouns.

Staff Compliance: School staff shall adhere to the recommendations of the Student Administrative Support Team when communicating with parents regarding a student's gender identity. For detailed instructions on updating names in student information systems, refer to the [Supporting Gender Diversity Toolkit](#).

Prohibition of Disrespect: Intentional or persistent refusal by students or school staff to respect a student's gender identity—such as deliberately using a name or pronouns that do not correspond to the student's gender identity—is a violation of these Guidelines. While using the wrong name or pronouns for a person may occur accidentally, if the conduct is pervasive and ongoing after being addressed, it may be a violation of the [Comprehensive Non-Discrimination Policy](#).

Special Considerations: Stating student names in announcements and at ceremonies can be sensitive as the student may not be out to audience members. It is expected that the student is supported in thinking through who may be in attendance and which name makes the most sense for them to share. Ensure the student has access to appropriate support if the announcement or ceremony could or will out them to a particular person or group. Brainstorm creative suggestions with a student who demonstrates or shares uncertainty. Some solutions include only using the first initial, or only saying the last name.

C. Official Records

To support transgender, non-binary, and gender non-conforming individuals, no school, Department, or administrative unit shall require a student to provide a former name on any document or form, except as otherwise required by law. Furthermore, all individuals shall be permitted to use an affirmed name for all purposes, except as otherwise required by law. Nothing in this section shall provide any individual with any private right of action or other right, except as required by law.

Students may change their name and gender marker in the district's electronic database so that it corresponds to their gender identity. Students are not required to obtain a court ordered name change and/or submit medical or psychological documentation to affect these changes. When a transgender, non-binary, or gender non-conforming individual enrolls at CPS, they shall be permitted to provide their affirmed name to Information Technology Services (ITS) immediately, so that the individual does not need to proceed with an administrative process to change their name once enrolled.

A student's request to change their name and/or gender marker in the district's electronic database shall be completed within fifteen (15) school days of the principal's receipt of the request. Schools shall also provide a method for a student to change their name and/or gender marker anywhere that it may appear publicly including (but not limited to) school website, technology resources, student identification cards, yearbooks, diplomas, and awards, and at events such as graduation.

The District maintains a permanent student record which includes the legal name of the student, as well as the student's legal gender marker. The District shall change a student's official records to reflect a change in legal name or legal gender marker upon receipt of documentation that such legal name and/or gender marker have been changed pursuant to Illinois legal requirements.

Diplomas: Students can request that multiple diplomas be printed for the current school year. CPS recommends that at least one is printed in a student's legal name for future documentation needs. This is not required, and the student should not feel pressured to do so.

Yearbooks: A designated person can make a plan with a student in a 1:1 setting on how they would like their name displayed in the yearbook. It is important to inform the student that yearbooks can be seen by many people. Ensure the student has access to appropriate support if the yearbook could out them to a particular person or group.

D. Medical Records, Clinician Billing, IEP and 504 Plan Considerations

Medical Records: School based health staff, including school nurses and CPS partner organizations operating school-based health centers (SBHCs), must use the names and pronouns that reflect an individual's gender identity. In accordance with applicable law and regulations, nurses are required to keep patient records that contain all pertinent information which identifies a patient and that accurately document clinical information relating to their patients. They must keep such records confidential. Health care providers must follow guidance in this document to use an individual's chosen name and pronouns. An individual's legal name and gender marker designated on government ID should only be used when necessary, such as when it is relevant to receive appropriate care, to enable the school to coordinate care effectively, or to file health insurance claims, or otherwise required by law.

Names/Pronouns: While it is common to use the student's name while billing Medicaid, it is also acceptable to use the last name of the student and refer to the student without any pronouns in clinical notes. For example: "STUDENT LAST NAME reported an interpersonal conflict with a same-aged peer and appeared upset. This writer affirmed STUDENT LAST NAME's emotions, asked STUDENT LAST NAME to identify potential solutions, and provided direct instruction regarding conflict resolution. STUDENT LAST NAME was able to identify two potential solutions by the end of the session with 1 or fewer prompts from this writer. This writer will continue weekly 1:1 sessions with STUDENT LAST NAME in accordance with the STUDENT LAST NAME'S IEP to discuss conflict resolution with school-based peers and staff."

IEPs and 504s: Documentation associated with IEPs and 504 Plans should **not** include a student's LGBTQ+ identity, status, and history, unless it directly relates to a clinical diagnosis (For example: if a student is diagnosed with PTSD as a result of experiencing bullying or other harm related to their LGBTQ+ status, this information may be included in an outsider provider's notes). Another exception may be if a student is interviewed and shares this as a critical piece of their identity AND gives informed consent, meaning they know who may see the document and have considered potential consequences. Including gender identity is unnecessary, yet occasionally appropriate. For example, it is quite common to say "STUDENT is a 12-year-old boy attending . . ." An alternative description could be "STUDENT is a 12-year-old student attending . . ." Similarly, pronouns can be avoided entirely (see example in Names/Pronouns above). Documentation associated with IEPs and 504 Plans may include, but are not limited to: all IEP documentation, 504 Plans, Notices of Conference, and Consent forms.,

E. Dress Codes

Transgender, non-binary and gender nonconforming individuals have the right to dress in a manner consistent with their gender identity or expression within the constraints of the dress codes adopted for all students. In accordance with the [Student Code of Conduct](#), schools shall not adopt dress codes that restrict students' clothing or appearance on the basis of gender. Gender neutral dress code applies to regular school days as well as any special events including graduation ceremonies and prom. No school may adopt a dress code that requires individuals of different genders to dress differently, e.g. allowing female-identifying individuals to wear earrings, but not male-identifying individuals. No one shall enforce a dress code more strictly against LGBTQ+ individuals than other individuals.

F. Restroom and Locker Room Accessibility

All schools must have signs designating specific restrooms for adults and students. Students may use designated "Girls+," "Boys+," and "Student Gender-Neutral" restrooms, while staff may use "Men+," "Women+," and "Staff Gender Neutral" restrooms. It is a violation of the [Comprehensive Non-Discrimination Policy](#) to deny a person access to a facility that corresponds to their identity, or to require a court-order name change or other documentation as a condition to use a specific facility.

Individuals must be allowed to use facilities in a manner that makes them feel safest and most included in the school. All individuals are allowed to use role-appropriate (e.g. student or adult) restrooms and locker rooms that correspond with their gender identity.

All people shall have the right to use gender-neutral, single stall restrooms, should they desire more privacy for any reason. Requested restrooms and locker rooms shall be made available immediately upon consultation with the individual. Anyone regardless of gender identity or sexuality, who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, a separate changing schedule, or use of a single-stall restroom, if available. No person shall be forced to use a private facility because of their LGBTQ+, transgender identity, non-binary identity, or gender expression, history, or status.

G. Physical Education, Sexual Health Education, Sports, and clubs

Students have the right to equitable learning opportunities in their school. Transgender, non-binary and gender nonconforming students shall be provided the same opportunities to participate in physical education as all other students. Students shall not be required to take or be denied enrollment in a course on the basis of their actual or perceived gender identity or expression in any educational and academic program. CPS staff should avoid gender segregation when possible (e.g. lining up by boy and girl, physical education, sexual health education, etc.) When gender segregation does occur (gender-segregated recreational, physical education class activities, clubs, school events, intramural and non-competitive sports) transgender and gender nonconforming students are allowed to participate in accordance with their gender identity, or in a manner that makes them feel safe and included.

Participation in competitive IHSA and IESA athletic activities and contact sports will be resolved in accordance with the Illinois High School Association and Illinois Elementary School Association rules, which are available on their respective websites.

H. Field Trips

No student shall be denied the opportunity to participate in a field trip, including overnight, out-of-state, or out-of-country field trips, due to their sexual orientation, gender identity, or gender expression.

I. Overnight Trips, Out-of-State or Out-of-Country trips

To ensure all students are fully supported at school, the following guidelines should be observed for overnight field trips:

Accommodation: Accommodations must be provided for students of all gender identities and those questioning their gender identity, regardless of whether they consistently assert their gender identity at school. Considering any existing student support plans, these accommodations should be tailored on a case-by-case basis and must prioritize the student's sense of safety, affirmation, and inclusion.

Collaboration and Planning: The principal and/or Support Coordinator will collaborate with the student to determine the necessary accommodations. This includes decisions about travel, facilities access, safety considerations, lodging, and room-sharing arrangements based on the specific circumstances of the trip

Communication and Confidentiality: Students must be informed about their accommodations for the trip before departure. All arrangements should be communicated clearly to the student and maintained in strict confidentiality to respect their privacy.

J. Administrative Support Teams and Gender Plans for Students

A Gender Support Plan is not required in order for a student to receive supports at school. If a student and/or a student's parent(s)/guardian(s) does not desire a Gender Support Plan, the Support Coordinator will work with the student and/or student's parent(s)/guardian(s) (if they are involved) to coordinate gender-affirming supports without the aforementioned tools.

The Principal shall designate at least one Support Coordinator who shall coordinate supports for students. Support Coordinators shall make all attempts to hold a meeting with a student and/or student's parent(s)/guardian(s) within ten (10) school days of a request by the student and/or the student's parent(s)/guardian(s). Support Coordinators will ascertain the student's and/or student's parent(s)/guardian(s) wishes and concerns and discuss the formation of a Student Administrative Support Team and/or Gender Support Plan.

At all times, the Support Coordinator and the Student Administrative Support Team shall respect the self-determination of the student regarding accommodations for affirming the name and pronouns that correspond to the student's gender identity, disclosure of the student's gender identity to teachers and other relevant staff, use of restrooms and locker rooms, confidentiality of gender transition in student records and information systems, and other supports as necessary. The CPS Gender Support Plan can be found in the [Supporting Gender Diversity Toolkit](#) on the Office of Student Health and Wellness Knowledge Center page.

K. Training

All CPS staff members are required to complete annual trainings on non-discrimination in order to comply with the CPS [Comprehensive Non-Discrimination Policy](#), including the Guidelines Regarding Gender and Sexuality Protections. This training has important information on how our non-discrimination policies specifically protect transgender, non-binary, and gender nonconforming students and staff, and includes important information about best practices. The [Supporting Gender Diversity Toolkit](#) also includes important resources to help support all staff, including administrators and central office staff, implement our policies and procedures, including these guidelines, with fidelity. Please ensure that you have carefully read these guidelines and completed the required training; if you are a supervisor, you are responsible for ensuring that your staff have done the same.

IV. GLOSSARY

The definitions provided here are not intended to label students but rather to assist in understanding these Guidelines and the legal obligations of Chicago Board of Education staff and students. Students might or might not use these terms to describe themselves.

Cisgender: A person whose gender identity and expression are aligned with the gender they were assigned at birth.

Intersex: A general term for a person born with sex characteristics that do not fit the definitions of either male or female. People who are intersex are usually assigned male or female sexes at birth. Some, but by no means all, students who are intersex may identify their gender or express their gender in ways that are captured by these Guidelines' definitions of Transgender or Gender Nonconforming.

Gender Affirming Care: A range of services, such as social, medical, and legal, that help youth align their bodies with their gender identity and improve their overall well-being.

Gender Expression: An individual's characteristics and behaviors such as appearance, dress, mannerisms, speech patterns, and social interactions that are perceived as masculine or feminine.

Gender Identity: The deeply held sense that individuals have of their gender, regardless of the sex they were assigned at birth. Everyone has a gender identity. Common examples may include "male/man/boy," "female/woman/girl," "non-binary," "agender," "trans/transgender," "gender expansive," "gender nonconforming," any combination of these terms or something else.

Gender Nonconforming (also known as Gender Expansive, Gender Variant, or Gender Creative): A term that refers to individuals whose gender expression does not follow traditional or societal expectations or stereotypes based on their sex assigned at birth. Keep in mind that these expectations can vary across cultures and have changed over time.

Gender Pronouns: The set of pronouns that an individual would like others to use when referring to that individual. Common examples include, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs." Transgender, non-binary and gender nonconforming students may wish to use a different set of gender pronouns than the pronouns associated with their sex assigned at birth. These are sometimes called "affirmed gender pronouns" or "preferred gender pronouns." Staff should always use the gender pronouns which affirm a student's gender identity.

LGBTQ+ (also known as LGBT+ or LGBTQIA+): An umbrella term referring to people who identify as lesbian, gay, bisexual, transgender, queer and/or questioning. The acronym can also include additional letters, in reference to other identities that do not conform to dominant societal norms around sexual orientation and gender identity and expression.

Non-binary: A term used to describe people whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

Transgender: A term used to describe people whose gender identity is different from the sex they were assigned at birth. This is an umbrella term for a variety of gender identities.

Transition: The process for individuals to begin living as their affirmed gender identity. Transitioning may be social (changing gender expression, accessing facilities, using a different name/pronouns), medical (hormones and/or surgeries), and/or legal (changing name/gender marker on identity documents). Transitions are different for every individual and it is increasingly common for gender transition to be fluid, meaning that gender expression may vary from day to day.

Sexuality (used interchangeably with Sexual Orientation): The inner feelings of who a person is attracted to emotionally and/or. physically.

Sex Assigned at Birth: A label a person is given at birth, often based on a medical professional's interpretation of the newborn's physical characteristics. Common examples may be "male," "female," or "intersex." This is typically the sex reflected on one's original birth certificate.

Student Administrative Support Team: A group that receives information on a confidential need-to-know basis and is convened to coordinate the appropriate supports for transgender and gender nonconforming students. The team should consist of the school principal or Support Coordinator, the student, individuals the student identifies as trusted adults, and individuals the principal and student determine may have a legitimate interest in the safety and healthy development of the student. The members may include, but are not limited to, the parent/guardian, school counselor, school social worker, assistant principal, a teacher, and/or school nurse. If the student requests a support plan and one is created in collaboration with the team and the student, the support plan shall be kept in the student's confidential health folder and may be shared only with staff members who have a legitimate health, safety, or educational interest in the information. It is not required for parents to participate on a Student Administrative Support Team.

Support Coordinator: An individual, appointed by the principal or principal's designee, on the Student Administrative Support Team. The Support Coordinator is responsible for convening Student Administrative Support Team meetings. If a plan is requested by the student or the student's parent(s)/guardian(s), the Support Coordinator is responsible for development of and/or revisions to the student's Gender Support Plan.

Questioning: Being unsure of and/or exploring your gender identity, your sexual orientation, or both. Many people go through stages of questioning as they learn new words that fit them better or as their feelings change over time.

V. RESOURCES

For additional support in implementing these Guidelines, please refer to the Supporting Gender Diversity Toolkit, available on the [Employee Intranet](#).

For questions about these Guidelines, please contact:

Office of Student Health and Wellness

oshw@cps.edu

(773) 553-3560

Concerns or Inquiries regarding Title VII, IX, or the ADEA and related regulations concerning discrimination, harassment or retaliation on the basis of race, color, gender identity/expression, age, national origin or sexual orientation should be made to:

Office of Student Protections and Title IX

110 N. Paulina St.

Chicago, IL 60612

osp@cps.edu

773-535-4400

Concerns or inquiries regarding sports equity should be addressed to:

Title IX Sports Compliance Coordinator

110 N. Paulina St.

Chicago, IL 60612

ospcompliance@cps.edu

773-535-4400

If a student or parent requests additional resources, the school may refer them to:

Illinois Safe Schools Alliance: (312) 533-2624, www.ilsafeschools.org

Lurie Children's Hospital: (773) 303-6056

Center on Halsted: (773) 472-6469