

No. 17-3113

In the
United States Court of Appeals
for the
Third Circuit

JOEL DOE, a Minor, by and through his Guardians John Doe and Jane Doe;
MACY ROE; MARY SMITH; JACK JONES, a Minor, by and through his
Parents John Jones and Jane Jones

Appellants,

v.

BOYERTOWN AREA SCHOOL DISTRICT; DR. BRETT COOPER, in his
official capacity as Principal; DR. E. WAYNE FOLEY, in this official capacity
as Assistant Principal; DAVID KREM, Acting Superintendent,

Appellees,

PENNSYLVANIA YOUTH CONGRESS FOUNDATION,
Intervenor-Appellee.

**ON APPEAL FROM AN ORDER ENTERED IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA IN CASE No. 5:17-CV-01249,
HONORABLE EDWARD G. SMITH, U.S. DISTRICT JUDGE**

**MOTION FOR LEAVE TO FILE APPENDIX
TO *AMICI CURIAE* BRIEF OF SCHOOL ADMINISTRATORS
FROM THIRTY STATES AND THE DISTRICT OF COLUMBIA
IN SUPPORT OF APPELLEES AND INTERVENOR-APPELLEE**

Proposed *amici curiae* school administrators from Arizona, California,
Colorado, Connecticut, Delaware, the District Of Columbia, Florida, Illinois, Iowa,
Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri,
Nevada, New Hampshire, New Jersey, New York, North Carolina, Oklahoma,

Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Washington, and Wisconsin (“proposed *amici curiae*”) respectfully request this Court’s leave to file the accompanying Appendix to their proposed *amici curiae* brief in support of Appellees and Intervenor-Appellee.

Proposed *amici curiae* have submitted their brief to offer their considered perspective as educators and administrators with years of collective experience with school policies that respect all students’ gender identity, including those who are transgender. As required under Fed. R. App. P. 29, their proposed *amici curiae* brief includes a statement of identity and interest which explains the collective experience and interest of the *amici curiae* in this case and identifies each of the 62 proposed *amici curiae* by name. The accompanying proposed Appendix includes supplemental information on the background and experience of each of the 62 proposed *amici curiae*, which may prove useful in assessing the value of the experiences related by the proposed *amici curiae* in their brief.

Counsel for Appellees and Intervenor-Appellee have consented to the filing of their proposed *amici curiae* brief and the accompanying Appendix. Counsel for Appellants have advised that Appellants do not consent and intend to oppose *amici curiae*’s motion for leave to file the Appendix.

CONCLUSION

For the reasons above, proposed *amici curiae* respectfully seek this Court's permission to file the accompanying Proposed Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee.

Dated: January 23, 2018

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CERTIFICATES

Cynthia Cook-Robertson, counsel for *amici curiae* school administrators, hereby certifies that:

1. Pursuant to L.A.R. 28.3(d), I hereby certify that I am a member in good standing of the Bar of the United States Court of Appeals for the Third Circuit.
2. On this date, the foregoing Motion for Leave to File Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee with the Clerk of the Court using the CM/ECF system, which will automatically serve electronic copies upon all counsel of record.
3. Pursuant to L.A.R. 31.1(c), I hereby certify that the text of the electronic Motion for Leave to File Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee has been filed with the Court in both electronic and paper form, and that the text of the electronic brief is identical to the text in the paper copies.
4. Pursuant to L.A.R. 31.1(c), I hereby certify that a computer virus detection program was run on the electronic version of this Motion for Leave to File Appendix to *Amici Curiae* Brief of School Administrators from Thirty States

and the District of Columbia in Support of Appellees and Intervenor-Appellee and that no virus was detected. The virus detection program utilized was Symantec Endpoint Protection.

DATED: January 23, 2018

/s/ Cynthia Cook Robertson

Cynthia Cook Robertson

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ADMINISTRATORS FROM THIRTY STATES AND THE DISTRICT OF
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Supplemental Information Regarding the Background and Experience of
Amici Curiae

Amici are school districts and superintendents, principals, school board members, general counsel, social workers, and other officials from schools and school districts that have adopted or are in the process of adopting inclusive policies for their transgender students. They represent a broad cross-section of schools and districts from across thirty States plus the District of Columbia, collectively responsible for educating approximately 1.5 million students annually.¹

Arizona

Leah Fregulia is the Head of School and CEO for Arizona School for the Arts, a non-profit public charter school that educates more than 800 students in the fifth through twelfth grades in Phoenix, Arizona. Ms. Fregulia was a founding faculty member when the school opened in 1995, served as the school principal for nine years, and has led the school in her current role since 2007. Before moving to Arizona, she taught in a variety of public and private educational settings in Seattle, California, and New Orleans.

¹ With the exception of *amici* Los Angeles Unified School District, the School Board of Los Angeles Unified School District, San Diego Cooperative Charter Schools, Achievement First Public Charter Schools, Washoe County School District, and the School District of South Orange and Maplewood, *amici* join this brief in their individual capacities based on their experiences as school administrators and not as representatives of their respective schools or districts.

Adelita Grijalva is a member of the Governing Board for the Tucson Unified School District (“TUSD”), which educates approximately 50,000 students. As a native Tucsonan educated in TUSD schools and the University of Arizona, Ms. Grijalva has worked with youth and their families for the past twenty-four years. Ms. Grijalva has worked at the Pima County diversion program for juvenile offenders, Pima County Teen Court for the last twenty-one years, and has served as Director for the last eighteen years.

California

David Vannasdall, Ed.D. has worked in the education field for twenty-two years and been Superintendent for Arcadia Unified School District (“Arcadia”) in Arcadia, California since July 2014, having previously served as Arcadia’s Deputy Superintendent for two years and principal of Arcadia High School for eight years. He developed Arcadia’s policy for supporting transgender students. Dr. Vannasdall has consulted with school officials nationally on transgender issues, and has presented on Arcadia’s policy to other superintendents. Arcadia has approximately 10,000 students and has three years of experience with inclusive policies for transgender students.

The Los Angeles Unified School District (“LAUSD”) is the largest school district in California and the second-largest in the nation, enrolling more than 640,000 students in kindergarten through twelfth grade, at over 900 schools and

187 public charter schools. The boundaries of LAUSD spread over 720 square miles and include Los Angeles and all or parts of 31 smaller municipalities plus several unincorporated sections of Southern California. LAUSD is administered by **The School Board of Los Angeles Unified School District**. Since 2011, LAUSD has required all schools in the district to permit transgender students access to the restrooms, locker rooms, and comparable facilities that correspond with their gender identity.

Judy Chiasson, Ph.D. is the Program Coordinator for the Office of Human Relations, Diversity and Equity in LAUSD. Dr. Chiasson helped author LAUSD's guidance documents on transgender students and has overseen the implementation of LAUSD's policy since it was adopted over a decade ago. Dr. Chiasson has given legislative testimony based on LAUSD's approximately ten years of experience with its policies² and has consulted with other school administrators across the country on transgender and other diversity issues.

Vivian Ekchian is the Interim Superintendent of LAUSD, the second-largest school district in the nation. She is responsible for creating policy, making recommendations to the members of the Los Angeles Board of Education, and creating conditions that promote student success. She is a lifelong learner who has

² Dr. Chiasson's 2013 testimony to the California Senate Education Committee is available at: *LAUSD's Judy Chiasson's Testimony on AB 1266*, YouTube (June 12, 2013), <https://www.youtube.com/watch?v=Xmq9dIQdsNE> (last visited Jan. 22, 2018).

dedicated her 30+ year career to putting the needs of students first, having worked as a teacher, principal, director of instruction, chief of staff to the superintendent of schools, chief human resources officer, chief labor negotiator, local district superintendent, and associate superintendent.

Mónica García has served as a member of the Board of Education of LAUSD since her election in 2006. During that time she was elected by her fellow Board Members as Board President, a position that she held for an unprecedented six years. Prior to her time with LAUSD, she served as an academic guidance counselor in two schools in Los Angeles and for four years as chief of staff to a former LAUSD Board President.

Julie Vitale, Ph.D. has served for four years as the Superintendent of Romoland School District in Riverside County, California. Romoland educates approximately 3,800 students at five schools in kindergarten through eighth grade. She has also served as Assistant Superintendent for Monrovia Unified School District and served 19 years, in various positions, in the Corona-Norco Unified School District. In 2015, with the support of the Board of Education, she oversaw the expansion and adoption of Romoland's then-existing non-discrimination policy to include a formal policy that addresses transgender students. Since then, she has worked with principals in her district to develop and implement this policy.

San Diego Cooperative Charter Schools (“SDCCS”) is comprised of two schools that educate over 690 elementary and middle school students. SDCCS has had a long history of respecting the gender identities of its students. Students are permitted to use the bathroom that corresponds to the student’s gender identity. Additionally, when students travel for extended field trips, students share accommodations in accordance with their gender identity. These policies and practices have functioned smoothly and without disruption to students’ lives at SDCCS since its inception in 2002. **Wendy Ranck-Buhr, Ph.D.** was the Principal of SDCCS from 2005 until 2013 when she was promoted to Superintendent. She is now the Instructional Support Officer for San Diego Unified School District.

Colorado

Eldridge Greer, Ph.D. is the Associate Chief of Student Equity and Opportunity for Denver Public Schools (“DPS”). DPS comprises 199 schools and educates over 90,000 students. Dr. Greer has been an educator for over twenty-five years and has been with DPS since 2007. DPS’s formal transgender policy was already in place when Dr. Eldridge came to DPS; he has since been responsible for developing practice guides for teachers and principals for applying the policy.

Connecticut

Achievement First Public Charter Schools is a network of thirty-two schools across Connecticut, New York, and Rhode Island and educates over 11,600 scholars. **Morgan Barth** is the Principal of Achievement First Amistad High School, a public charter school in New Haven, Connecticut. Mr. Barth previously served as the Regional Superintendent for a group of Achievement First elementary and middle schools in Connecticut. Before that, he worked at the Connecticut State Department of Education where he led the Turnaround Office, supporting school improvement around the state. **Emily Banks** is the Principal of Achievement First Hartford High School in Hartford, Connecticut. Ms. Banks is in her fourth year as principal and twelfth year in education.

Delaware

Gregory R. Meece is the School Director of Newark Charter School in Newark, Delaware, which he has led since the school's inception in 2001. Newark Charter School educates more than 2,300 students through its elementary, middle, and high school campuses. Mr. Meece has worked in Delaware's schools at the elementary school, middle school, high school, and college levels since 1981. Mr. Meece has served as the President of the Governing Board of the Delaware Charter Schools Network, which represents twenty-two Delaware charter schools and more than 10,000 families. Mr. Meece received the Commitment to Education Award

from the University of Delaware in 2005. In 2011 the Delaware Charter Schools Network selected him as recipient of its highest honor, the Catalyst in Education Award.

District of Columbia

Diana Bruce is the Director of Health and Wellness for the District of Columbia Public Schools (“DCPS”), a district that educates approximately 46,500 students across 111 schools. DCPS has provided transgender students access to facilities in accordance with their gender identity since 2006, and Ms. Bruce led the effort surrounding the school district’s adoption of a policy providing in-depth guidance in June 2015. Ms. Bruce consults with administrators across the country about DCPS’s nearly decade-long experience with inclusive policies for transgender students.

Florida

Denise Palazzo is the statewide Safe Schools Director for Equality Florida and in her role consults with the 67 school districts across Florida about LGBTQ needs, challenges, best practices, and resiliency. She offers district leadership professional and technical assistance such as professional development trainings, crisis consultation, gay-straight alliance support, and structural implementation design and direction. Ms. Palazzo is a past Instructional Facilitator and Diversity and LGBTQ Coordinator for BCPS, where she had taught for fourteen years. Ms.

Palazzo spearheaded BCPS's effort to adopt a formal policy allowing transgender students access to programs and facilities in accordance with their gender identity, which was finalized in 2015 and enhances the recommendations and guidance that BCPS adopted in 2012. Ms. Palazzo also advises officials throughout the country about inclusive policies for transgender students and continues to consult with BCPS and other school districts throughout Florida and the nation.

Illinois

Jeremy Majeski is a former principal of Komensky Elementary School ("Komensky") in Berwyn, Illinois. He has been an educator for thirteen years and was Komensky's principal for four years. Mr. Majeski directed the development and implementation of an inclusive policy at Komensky after a transgender student requested support and then helped to direct implementation of the policy throughout Berwyn South School District 100 ("Berwyn"), which educates approximately 4,000 students. Berwyn was honored by the Illinois Safe Schools Alliance as the Ally of the Year for 2015.

Karen Carney is the Head of School at Chicago Friends School, an independent Quaker elementary school serving students from kindergarten through the fifth grade in Chicago, Illinois. Prior to this position, Ms. Carney worked as a senior specialist in science curriculum for American Institutes for Research. She has also worked in instruction and teacher development at the University of

Illinois-Chicago (“UIC”) Center for the Study of Learning and has authored more than twenty scholarly papers, book chapters, and conference presentations. **Sarah Shirk** is the former Clerk of the Board of Trustees for Chicago Friends School, her term having expired in mid-2017. Ms. Shirk has over ten years’ experience managing a kindergarten through twelfth grade mentoring program at the UIC Women in Science and Engineering program. In addition, she has authored several award-winning programs for STEM gender equity initiatives and is a recipient of the Presidential Award for Excellence in Science, Mathematics, and Engineering Mentoring for her leadership of the Women in Science and Engineering Program at UIC.

Beth Bazer, Ed.D. is the principal of LaSalle Language Academy, a National Blue Ribbon school serving 560 students in Chicago. Dr. Bazer has worked for Chicago Public Schools and in the education field for over fifteen years and has dedicated her career to ensuring equity and opportunity for all students. Dr. Bazer partners with the Illinois Safe Schools Alliance and Lurie Children’s Hospital to provide professional development for teachers in creating respectful and inclusive classroom and school environments for LGBT students and families.

Iowa

Thomas Weber is Head of School at Scattergood Friends School & Farm (“Scattergood”), a Quaker boarding school serving a diverse population of high

school students in rural West Branch, Iowa. He taught history, geography, and civics to the sixth through twelfth grades in New Mexico for fifteen years, while coaching basketball and Model United Nations. Mr. Weber also served as a middle school director and head of school for two different schools from 2001 to 2012, before joining Scattergood in 2013. Mr. Weber has collaborated actively with other schools on initiatives to deepen student and educator understanding of diversity issues.

Kentucky

Thomas A. Aberli, Ed.D. is currently serving a two-year term as Interim Principal of Highland Middle School in Louisville, Kentucky, after which he will return to J.M. Atherton High School, where he had served as principal since 2010. J.M. Atherton educates approximately 1,300 students in Louisville and has had a formal policy of respecting students' gender identity since June 2014. Dr. Aberli oversaw the adoption of this anti-discrimination policy through a thoughtful process that engaged the public, a twelve-member decision-making council, and the superintendent. Dr. Aberli testified about J.M. Atherton's policy before the Kentucky Senate Education Committee.³ The Kentucky Association of School Administrators ("KASA") named Dr. Aberli 2016 Kentucky Administrator of the

³ A video excerpt from Dr. Aberli's testimony (Aberli Testimony) is available at: KET – Kentucky Educational Television, *Principal Thomas Aberli on Transgender Student Policy Legislative Update KET*, YouTube (Feb. 19, 2015) <https://www.youtube.com/watch?v=QodplMWsEvQ> (last visited Feb. 28, 2017).

Year. Dr. Aberli serves on the Principal's Advisory Committee to the Commissioner of Education and was selected to serve on both the state Youth Bullying Prevention Task Force and the state's School Curriculum, Assessment and Accountability Council. He was also elected to the KASA Board of Directors.

Maine

Howard Colter is the Interim Superintendent of the Cape Elizabeth School Department, in Cape Elizabeth, Maine, and the former Superintendent of Mount Desert Island Regional School System ("MDIRSS"). MDIRSS serves eleven schools and over 1,500 students, including approximately 571 students at Mount Desert Island High School. In 2015, the policy committee of the MDIRSS board forwarded to its individual schools recommended guidelines that aim to foster a learning environment that is safe and free from discrimination, harassment, and bullying and to assist in the educational and social integration of transgender students in its schools. Mr. Colter has worked in education for forty-four years and obtained a Master's Degree in Education and School Administration Credentials. He has been a superintendent for thirty-three years in school systems in California, Massachusetts, New Hampshire, and Maine, with sixteen years at MDIRSS before becoming the Interim Superintendent at Cape Elizabeth in 2016. He has also served as a principal at the elementary, middle, and high school levels.

Matthew Haney is Principal of Mount Desert Island High School in Bar Harbor, Maine. Mr. Haney, now completing his sixteenth year in education, began as a collegiate coach and athletic director. Since then, he has served for eight years as an assistant principal and for three years as a principal at Mount Desert High School. Before becoming principal, Mr. Haney was dean of curriculum at Mount Desert Island High School. Mr. Haney holds a Master's Degree in Educational Leadership.

Ken Kunin is the Superintendent of South Portland Public Schools in South Portland, Maine, a district that includes eight schools and educates over 3,000 students. Mr. Kunin began as Superintendent in August 2015, and previously served as principal of one of the most diverse high schools north of Boston for five years, and as middle and high school principal of an international school in Rome, Italy, for four years. Mr. Kunin holds a Master's degree in Special Education and a Certificate of Advanced Studies in Educational Leadership.

Maryland

Robert A. Motley is Principal of Glenwood Middle School, which educates 550 students from grades six through eight in Glenwood, Maryland. Mr. Motley has eleven years of experience as a middle school principal and twenty years of experience as an educator and school administrator. In 2006, Mr. Motley was recognized as the Maryland State Assistant Principal of the Year by the Maryland

Association of Secondary School Principals (“MASSP”). Mr. Motley was recently appointed to a four-year term on the Board of Directors of the National Association of Secondary School Principals (“NASSP”). NASSP is the leading organization of and national voice for middle level and high school principals, assistant principals, and all school leaders from across the United States and thirty-five countries. As a member of the NASSP Board of Directors, Mr. Motley will participate in shaping the organization's federal education policy agenda that advocates for the needs of secondary schools and their students.

Catherine From is on the Residential Life Staff at Sandy Springs Friends School (“SSFS”) in Sandy Spring, Maryland. She previously taught and served as Director of Residential Life at Scattergood Friends School in West Branch, Iowa, where she worked to develop a gender inclusive housing policy. She currently serves on the Diversity Committee and Gender Identity Subcommittee at SSFS and hopes to help create similar policies and best practices.

Massachusetts

Roger Bourgeois is the former Superintendent-Director of Greater Lowell Technical Regional School District, a single-school district that educates approximately 2,200 students in Massachusetts. Before his retirement in late 2017, Mr. Bourgeois served eight years as a superintendent with schools that allow students to access facilities and programs in accordance with their gender identity.

Mr. Bourgeois served by appointment of the governor on the Massachusetts Commission on LGBTQ Youth, for which he served on the Safe Schools Committee. He also participated in school trainings through the Massachusetts Department of Education's Safe Schools Program and has testified at state legislative hearings involving transgender youth issues.

Cyndy Taymore is Superintendent of Schools for Melrose Public Schools, a public school district that educates more than 3,800 students in pre-kindergarten through twelfth grade. Ms. Taymore started her career in education as a science teacher, English teacher, and program manager for special education. Ms. Taymore has served as Chair of the Professional Development Program for the Massachusetts Association of School Superintendents ("MASS"), a member of MASS' executive board, and was the 2016 recipient of the Bobbie D'Alessandro Leadership Award from the Massachusetts Association of School Superintendents Women's Educational Leadership Network. **Lizbeth DeSelm** is a member of the Melrose School Committee. Melrose School Committee writes and maintains policies that guide the Melrose Public Schools. Ms. DeSelm was part of the process that led Melrose to become the twelfth municipality in Massachusetts to pass an equal access ordinance guaranteeing the rights and freedoms of transgender people. Ms. DeSelm served as co-president and treasurer of the parent-teacher

organization at Roosevelt Elementary School during the 2014-2015 and 2013-2014 school years, respectively.

Michigan

DeLois Cooke Spryszak is the Principal of Detroit School of Arts, a Blue Ribbon performing arts high school that educates nearly 500 students as part of the Detroit Public Schools Community District (“Detroit Public Schools”). Principal Spryszak has served more than twenty-five years within Detroit Public Schools, beginning her career as a teacher in 1990. During her career, she has worked in various curricular and administrative positions, such as Staff Development Specialist, Peer Coach, and Assistant Principal. Since becoming the principal of Detroit School of Arts in 2014, Ms. Spryszak has worked with her staff to develop inclusive policies for transgender students.

Craig McCalla is Principal of Cornerstone Elementary School (“Cornerstone”) in Dexter, Michigan, where he has served the school in that role for eleven years. Mr. McCalla began his career in 1996 teaching emotionally impaired students. Mr. McCalla was named 2012 Principal of the Year by Region 2 of the Michigan Elementary and Middle School Principals Association. Mr. McCalla is a member of the Transgender Task Force hosted by the Washtenaw Intermediate School District. Cornerstone educates over 400 elementary students each year. Cornerstone’s approach to education is founded on the idea that children

learn best when they feel safe, respected, and valued as members of a caring school community.

Minnesota

Mary Doran is the former chair of the Saint Paul Public Schools (“SPPS”) Board of Education; her term-limited term ended December 31, 2015. She served on the Board of Education for four years, including the last two years as chair, during which she led the effort to craft, pass, and implement the SPPS Gender Inclusion Policy, which passed with unanimous support from Board of Education members in March 2015 and was implemented at the start of the 2015-16 academic year. SPPS is one of Minnesota’s largest school districts, with more than 39,000 students, over fifty-eight schools, and more than 5,300 full-time staff members, including over 3,100 teachers.

Missouri

Pamela Retzlaff, Ed.D. has spent the past thirty-five years educating students in schools in Missouri and Wisconsin. More than half of that time was spent at Edgar Road Elementary School in Webster Groves, Missouri. After retiring in 2015, she served again as Associate Principal at Hixson Middle School in the same district. Dr. Retzlaff is an accomplished leader, teacher, workshop presenter, and volunteer who is dedicated to engaging students and families in the educational process.

Nevada

Washoe County School District (WCSD) is a public school district providing public education to students in Washoe County, Nevada, including the cities of Reno and Sparks, and the unincorporated communities of Verdi, Incline Village, and Gerlach. WCSD is the second-largest school district in Nevada with approximately 63,000 students enrolled in ninety-three schools. In February 2015, WCSD adopted Administrative Regulation 5161, which provides that transgender students shall have access to restrooms, locker rooms, and other use facilities that correspond to the gender identity expressed by the student and asserted at school.

New Hampshire

James Morse, Sr., Ed.D., is the Superintendent of Schools for the Oyster River Cooperative School District, serving approximately 2,100 students across four schools in Durham, Lee, and Madbury, New Hampshire. Before serving as Superintendent for Oyster River, Dr. Morse served as the superintendent for the Portland School District – Maine’s largest school district. Dr. Morse has worked in public education for forty years, including thirty years as a superintendent, three years as an assistant superintendent, and seven years as a principal. In September 2015, Dr. Morse implemented the state’s first public school policy that defines the terms “gender identity,” “gender expression,” “transgender,” and “cisgender” and provides for a written plan related to privacy and gender identity disclosure. The

policy also provides transgender students access to bathrooms and locker rooms in accordance with their gender identity and provides alternative, private facilities for all students should they choose to use them.

New Jersey

The School District of South Orange and Maplewood (“South Orange-Maplewood”) is a public school district, serving students from two communities in Essex County, New Jersey. South Orange-Maplewood is responsible for educating more than 6,800 students in nine schools, including six elementary schools, two middle schools, and one high school. In July 2016, South Orange-Maplewood adopted several policies to increase equity in education and extracurricular programs and to reduce bias-based incidents. Among these is Policy 5756, protecting the rights of transgender students, and providing that students shall have access to restroom and locker room facilities in accordance with students’ sincerely held, core gender identity.

Thomas Smith, Ed.D., is the Superintendent of Schools at Hopewell Valley Regional School District, a comprehensive regional public school district serving approximately 4,000 students in preschool through twelfth grade from three communities in Mercer County, New Jersey. Dr. Smith has worked in the education field for over twenty years and has been Superintendent at Hopewell for over six years. Hopewell has provided transgender students access to facilities in

accordance with their gender identity since at least 2009, and Dr. Smith has consulted with administrators throughout the state about Hopewell's experience with inclusive policies for transgender students.

Craig Vaughn is the Superintendent/Principal of Springfield Township School District ("Springfield"), a public school district that serves students in kindergarten through sixth grade in Jobstown, New Jersey. Mr. Vaughn has worked in the field of education for nearly two decades, after beginning his career as an elementary school teacher, and becoming a school administrator in 2006. Mr. Vaughn worked as Director of Human Resources for the eight schools and nearly 5,000 students in Marlboro Township School District, before becoming the Superintendent/Principal of Springfield in 2015.

Arthur DiBenedetto is the Superintendent of Vernon Township Public Schools in Sussex County, New Jersey. Vernon Township Public Schools' six schools serve over 3,600 students in kindergarten through twelfth grade. Mr. DiBenedetto has been an educator for over forty-three years, including twenty-three years as a superintendent and often in a dual role as head of special education.

New York

John O'Reilly is the Principal of the Academy of Arts and Letters, Public School/Middle School 492 ("A&L") in Brooklyn, New York (part of the New

York City Department of Education which serves 1.1 million students in over 1,800 schools). A&L educates students from kindergarten through the eighth grade and has implemented inclusive practices for transgender students.

North Carolina

Heidi Carter is the former chair of the Durham Public Schools Board of Education in Durham, North Carolina. She served as chair for four years and on the board for a total of twelve years until the end of her term in June 2016.

Durham Public Schools is one of the ten largest school districts in North Carolina, comprising over forty schools and educating approximately 33,500 students from pre-kindergarten through high school. It is one of the top thirty school districts in the nation for employing National Board Certified Teachers, and two of its schools were included on *US News & World Report's* "Best High Schools" list in 2015. In April 2016, Durham Public Schools revised its non-discrimination policy to prohibit discrimination based on gender identity.

Oklahoma

Eric Doss is Executive Director of the Tulsa School of Arts and Sciences ("TSAS") in Tulsa, Oklahoma. Mr. Doss has over 16 years of experience in education and a deep knowledge of charter schools in Oklahoma and nationally. TSAS is a public charter high school that serves 300 students in grades nine

through twelve and ranks at the top of Tulsa County in ACT averages and state grades. TSAS is a 2015 National Blue Ribbon School Recipient.

Oregon

Peyton Chapman has been the principal of the 1,700-student Lincoln High School in Portland, Oregon for ten years. She has also been a vice principal at another high school, and taught sixth through twelfth grades for eight years, in both high- and low-poverty schools. Ms. Chapman holds a Master's Degree in Teaching and a *Juris Doctor* degree. She has worked closely with School Psychologist Jim Hanson to expand Lincoln's community-based "Health Action Network" stakeholder group, to implement gender equity professional development for staff, coaches, and parents, and to empower student voices through diversity clubs such as Lincoln's Queer Straight Alliance. Ms. Chapman has been interviewed by the Associated Press and a local NBC television affiliate regarding her experience with policies that support transgender students.

Pennsylvania

Ziad W. Munson, Ph.D. has been an elected member of the East Penn School Board since 2013. East Penn School District serves over 8,000 students in Emmaus, Pennsylvania. The Board unanimously adopted a non-discrimination policy that includes protections for transgender students in February 2016. Dr. Munson is the father of two children in the district, ages eleven and fifteen.

Suzanne Vincent has been the Principal of Lower Macungie Middle School since 2007. She previously served as the principal of Freshman Center, a school for ninth graders in Quakertown Community School District, and as a middle school assistant principal. Ms. Vincent began her career in education in 1993 as a seventh grade teacher.

Rhode Island

Rachel Santa, Ed.D. is the Director of Special Education for the Cumberland, Rhode Island School District, which serves approximately 4,500 students. Dr. Santa has worked in special education since 1990 and has over twelve years of experience in school administration and providing services for students in the public school setting. The Rhode Island Interscholastic League policies provide transgender students access to bathrooms and locker rooms and participation in team sports in accordance with their gender identity. Dr. Santa was an integral part of Cumberland School District's unanimous passage of an official district-wide policy this year that gives all students an opportunity to use alternative facilities, should they feel uncomfortable using a gender-designated facility for any reason. Dr. Santa works in collaboration with school committees in developing policies, processes, and procedures that support the equitable education of all students.

Tennessee

Kellie M. Hargis, Ed.D. is the Executive Principal of Hume-Fogg Magnet High School (“Hume-Fogg”), which educates nearly 1,000 academically advanced high school students in Nashville, Tennessee. Dr. Hargis began her career as an educator for grades seven through twelve in Madisonville, Kentucky, where she was honored with the Centre College’s Outstanding Educator Award through the Governor’s Scholar Program. After Dr. Hargis began serving in the administration at Hume-Fogg, she was also selected by Vanderbilt University to participate in the Principals’ Leadership Academy of Nashville. Dr. Hargis also is a member of the Tennessee Department of Education College & Career Leadership Council.

Texas

Lindsey Pollock, Ed.D. is the Principal of a Montessori magnet school in Houston, Texas that serves approximately 760 students from pre-kindergarten through eighth grade. She has served as principal of her school since July 2008. In 2014, Dr. Pollock provided an interview to the cable news outlet CNN regarding her school’s policy supporting transgender students. *6 Ways to Embrace Gender Differences at School* (Oct. 3, 2014), available at <http://www.cnn.com/2014/10/03/living/children-gender-inclusive-schools/> (last visited Feb. 28, 2017).

Utah

Emily Sutherland is the principal of Treasure Mountain Junior High School (“TMJH”), a public junior high school educating nearly 900 eighth and ninth graders in Park City. Before coming to TMJH, Principal Sutherland had worked in the district for a decade, teaching English for nine years at Ecker Hill Middle School and coaching soccer at Park City High School.

Vermont

Brian Schaffer is the Principal of Lamoille Union High School in Hyde Park, Vermont. Mr. Schaffer has sixteen years of experience as an educator and school administrator, including nine years as Principal. He was selected as the 2016 Vermont Principal of the Year by the National Association of Secondary School Principals and as the 2015 Outstanding Educator of the Year by Outright Vermont.

Washington

Lisa Love is the Manager of Health Education for Seattle Public Schools (“SPS”), a school district which educates approximately 53,000 students in ninety-seven schools. Ms. Love’s position with SPS includes providing technical assistance to families and staff seeking support for LGBT students, training staff on LGBT issues, and developing district policies and procedures. Ms. Love has been in the field of education for almost twenty years and directed the efforts that

led to SPS's adoption in 2012 of a formal superintendent procedure that respects students' gender identity.

Wisconsin

Dylan Pauly is General Counsel for Madison Metropolitan School District ("MMSD"), the second-largest school district in Wisconsin with more than 27,000 students. Ms. Pauly drafted MMSD's policy for transgender students and has presented the policy to the Wisconsin Association of School Boards and the National School Boards Association. Ms. Pauly also supervises the district's Title IX investigator. **Sherie Hohs** is a Social Worker with MMSD with twelve years of experience in the district. Her work focuses on supporting the needs of LGBTQ students, providing professional development trainings to staff, and working with parents and community partners. Ms. Pauly and Ms. Hohs both consult with administrators across the state and from other parts of the country about inclusive policies for transgender students.

Sherri Cyra is Assistant Superintendent for Middleton-Cross Plains Area School District ("MCPASD"), a public school district that educates approximately 6,700 elementary, middle, and high school students in Middleton, Wisconsin.

Laura H. Love serves the district as Director of Teaching and Learning for Secondary Education, **Jill Gurtner** is Principal of Clark Street Community School,

and **Monica Schommer** is Principal of Park Elementary School, both of which are within MCPASD.

Bryan Davis, Ph.D. is Superintendent of Shorewood School District, which serves approximately 2,000 students in Shorewood, Wisconsin. Dr. Davis has eighteen years of experience in the education field, including six years as a superintendent and eight years as a principal. In February 2014, the Shorewood School Board approved Policy 411-Equal Educational Opportunities as well as Guideline 411-Nondiscrimination Related to Students Who Are Transgender and Students Nonconforming to Gender Role Stereotypes. In May 2016, the U.S. Department of Education cited the Shorewood School District in a report highlighting school districts across the nation that are at the forefront of emerging policies and practices for supporting transgender students. **Paru Shah, Ph.D.** is President of Shorewood's Board of Education. Dr. Shah has been a school board member since January 2014 and an associate professor at the University of Wisconsin-Milwaukee since September 2011. **Tim Kenney** is Principal of Shorewood High School and has worked in the Shorewood School District for twenty years as a teacher, assistant principal, and principal.

Dated: January 23, 2018

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CERTIFICATES

Cynthia Cook-Robertson, counsel for *amici curiae* school administrators, hereby certifies that:

1. Pursuant to L.A.R. 28.3(d), I hereby certify that I am a member in good standing of the Bar of the United States Court of Appeals for the Third Circuit.
2. On this date, the foregoing Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee with the Clerk of the Court using the CM/ECF system, which will automatically serve electronic copies upon all counsel of record.
3. Pursuant to L.A.R. 31.1(c), I hereby certify that the text of the electronic Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee has been filed with the Court in both electronic and paper form, and that the text of the electronic brief is identical to the text in the paper copies.
4. Pursuant to L.A.R. 31.1(c), I hereby certify that a computer virus detection program was run on the electronic version of this Appendix to *Amici Curiae* Brief of School Administrators from Thirty States and the District of Columbia in Support of Appellees and Intervenor-Appellee and that no virus was

detected. The virus detection program utilized was Symantec Endpoint Protection.

DATED: January 23, 2018

/s/ Cynthia Cook Robertson

Cynthia Cook Robertson