

APPEAL NO. 18-13592-EE

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

DREW ADAMS,
Plaintiff-Appellee,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA
Defendant-Appellant.

On Appeal from the United States District Court
for the Middle District of Florida, Jacksonville Division
District Court No. 3:17-cv-00739-TJC-JBT

**APPELLANT'S APPENDIX IN SUPPORT OF INITIAL BRIEF
VOLUME II**

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**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through his next friend and mother, ERICA ADAMS KASPER,

No. 3:17-cv-00739-TJC-JBT

Plaintiff,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; TIM FORSON, in his official capacity as Superintendent of Schools for the St. Johns County School District; and LISA KUNZE, in her official capacity as Principal of Allen D. Nease High School,

Defendants.

DECLARATION OF DREW ADAMS

I, Drew Adams, pursuant to 28 U.S.C. §1746, declare as follows:

1. I make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. I am 16 years old, and I am a registered student at Allen D. Nease High School, which is part of the St. Johns County School District in St. Augustine, Florida. I will begin my junior year on August 10, 2017. I reside in Ponte Vedra, Florida.

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3. A photo of me taken on June 7, 2017, is below.



4. I am an honor student, and am enrolled in a number of Advanced Placement classes in school. My academic record is extremely important to me. I am on the International Baccalaureate (“IB”) Pre-IB/IB Diploma Program at school, which requires passing additional tests and conducting a service project over the course of 18 months. I hope one day to go to medical school.

5. I am active in a number of extra-curricular, volunteer and community service activities. I am on the Board of Leaders of my school’s Gay Straight Alliance, which works to improve the school climate for lesbian, gay, bisexual, and transgender (“LGBT”) students. I also was selected from more than 700 applicants to serve as one of 18 students on the Gay, Lesbian, and Straight Education Network’s (“GLSEN”) National Student Council for the 2016 to 2017 academic year. GLSEN educates people about LGBT youth and does anti-bullying work. I help raise money each year for the Jacksonville Area Sexual Minority Youth Network (“JASMYN”), which provides programs and services to support local LGBT youth. Starting the summer before high school, I have volunteered each summer at a local

hospital, and I currently volunteer at the Mayo Clinic in Jacksonville. In May of 2017, I received the HandsOn Youth in Action Award from HandsOn Jacksonville, a non-profit that encourages volunteerism in the local community. I play four musical instruments, including the guitar, ukelele, piano, and drums. Like lots of other kids my age, I enjoy playing video games as well.

6. After high school, I hope to attend the University of Florida to study pre-medicine. Ultimately, I would like to attend medical school and become a psychiatrist specializing in adolescents.

A. History of Gender Transition.

7. I am a boy.

8. I am also transgender. At birth, my sex was incorrectly designated “female,” but I am a boy.

9. Even before I was aware that transgender people existed, I knew that my body did not feel like it fit me. I first began to understand why I felt the way I did when I was 14 years old, and saw an episode of The Ellen DeGeneres Show featuring an interview with a transgender man. When I heard him describe what it meant to be transgender, everything clicked for me. I immediately realized, “that sounds like how I feel.”

10. I began researching what it meant to be transgender. I came out to my mother shortly thereafter, but she did not seem surprised when I told her that I identify as a boy.

11. With my parents’ support, I started taking gradual steps toward living as a boy in 2015. I cut my hair short, and began wearing a binder on my chest to minimize the appearance of my breasts.

12. Each step of my transition brought me such a sense of relief and happiness, and I felt like I was finally starting to live the way I was meant to live. This confirmed for me that transitioning was only way I would ever feel fully comfortable in my own skin.

13. I have since been diagnosed with gender dysphoria, and that diagnosis has been confirmed by multiple health providers.

14. I began pursuing medical treatment for gender dysphoria in August 2015, when my mom took me to see a pediatric endocrinologist in our community. That doctor was not experienced with treating transgender people, and referred us to the Duke Child and Adolescent Gender Care clinic (“Duke Clinic”) in North Carolina.

15. I first went to the Duke Clinic in March 2016. My mom and I happened to be in North Carolina on the day House Bill 2 (“H.B. 2”) was enacted into law, banning many transgender people from using restrooms that match their gender identity in government buildings. The feeling of watching the law change overnight to target transgender people was surreal and upsetting, since I could use the boys’ restroom in public buildings the day before, but not the following day.

16. I began taking testosterone in June 2016, which was a hugely important moment for me. I had wanted to take testosterone for some time to help bring my body into alignment with my male gender identity. At the time that I received my first testosterone shot, it felt like the happiest day of my life.

17. The next step in my medical transition was to get “top surgery” (a double mastectomy), so that I could stop wearing a binder, which was very uncomfortable. When I learned I could get surgery at the end of May 2017, rather than having to wait longer, I cried.

I was overcome with joy to know that I could take another important step to make my body feel more like it matches who I am: a boy.

B. School Restrooms.

18. By the time I began my freshman year at Allen D. Nease High School in August of 2015 I was living as my authentic self, meaning as the boy that I am. I knew that relatively few of the kids who knew me before my transition in middle school would be attending my high school, which gave me a chance to have a fresh start to attend school as the boy that I am. When I started school, I wanted to control the information about my gender transition so that I could protect my safety and privacy by not being indiscriminately “outed” as transgender to all the other students while I adjusted to the school.

19. Before the 2015-2016 school year started, I emailed my teachers to explain that the female gender marker on my school records was wrong, and asked that they use male pronouns when referring to me instead. Thankfully, my birth name is Drew, so the name on my school records did not need any correction.

20. When I began my freshman year, I was generally perceived by students and staff alike as a boy. My peers and my teachers generally used male pronouns, and I was generally treated as a boy in every respect. I knew that I belonged in the boys’ restroom, so I simply used the boys’ restrooms along with all the other boys. I always used one of the stalls, as I continue to do in every other setting where I use male restrooms.

21. I consistently used the boys’ restrooms at school for approximately six weeks without any incident until on or around September 22, 2015. On that day, I was pulled out of class and summoned to the counselor’s office, where I met with three guidance counselors,

including then-IB Program guidance counselor Kim Hollis. They informed me that someone had anonymously reported that I was using the boys' restroom. They instructed me to use a gender neutral restroom from that point forward.

22. I was shocked and confused. I asked if I had done anything wrong, and was told "no." That answer was frustrating, because it made me feel I was being punished even though I had not done anything to deserve it. In other words, it felt like I was being singled out and disciplined simply for who I am.

23. I did not want to get in trouble or have any disciplinary reports on my school record, so I reluctantly began using gender neutral restrooms at the school. I did not use the boys' restroom for the remainder of my freshman and sophomore year. In fact, I have not used the boys' restroom at school since I was pulled out of class on or around September 22, 2015.

24. Using the gender neutral restrooms immediately felt like an insult to my identity. It was absolutely humiliating to walk halfway across the school, passing several boys' restrooms, to find one of the gender-neutral restrooms. My transgender status was not widely known among the school administrators at that time, and I practically hid from administrators in the hallway who would have thought I was skipping class if I had said I was going to the restroom—while I was walking right past a boys' restroom.

25. Being singled out and treated differently from all other boys who are cisgender makes me feel anxious because it publicly reinforces the message that I am different from other boys. Every time I walk past the boys' restroom, I am reminded that my school views me as inferior and unsuitable to share spaces with others—as if there is

something threatening about me that requires me to be isolated and kept away from others. The embarrassment this policy causes me makes me feel worse about myself and hurts my self-esteem. The restroom policy also interferes with the treatment for my gender dysphoria, which requires that I live as the boy that I am in all aspects of my life. Defendants' policy tells me multiple times a day, on every school day, "You are not really a boy." This is very painful, and regularly heightens the symptoms of my gender dysphoria, including depression and anxiety.

26. In contrast to boys' restrooms located throughout the school, there have previously been, at most, three gender neutral restrooms for the entire school (with one minor exception for art class, described below): Two of these restrooms are located in the administrative building, including one restroom in the main office, and one in the guidance office. Generally, no one uses the restroom in the main office, because individuals must enter the nurse's office to get to it. Both of these restrooms are very close to each other in the administrative building, which means that their locations are equally inconvenient when I am on other parts of the campus.

27. The third gender neutral restroom has been available only intermittently to students in a building called the "H-pod." For approximately half of my time at the school, this restroom has been restricted to staff, with a "Staff Only" sign appearing periodically on the door. On one occasion, several other students and I had to petition Principal Kunze to re-open the restroom to students. On each occasion that the restroom was made available to students, no public announcement was made, which made me nervous about getting in trouble with staff who had not realized that the restroom was re-designated.

28. To access any of these gender neutral restrooms, I usually have to walk past at least one, if not two boys' restrooms. None of the gender neutral restrooms is as convenient to classes I have had as the boys' restrooms that all the other boys get to use. For example, when I have classes in the portable classrooms on campus, it could sometimes take well over 10 minutes to get to and from the gender neutral restrooms in the administrative building. Because the pass time between classes is only five minutes, using the gender neutral restrooms generally required me to miss class time when a class was in the portables. That was extremely stressful, given that I sometimes had to miss lecture material to use the restroom. That forced me to weigh the importance of the information that I would miss in class, against the anxiety, stress, and distraction that come with trying to hold one's bladder. No cisgender boy at the school has to cope with that stress or loss of classroom time just to do something as basic as go to the restroom.

29. For all of those reasons, I started to avoid using the restroom at all, whenever I could physically manage it. I began restricting my fluid intake and planning my day around when I might have to use the restroom. I worried what other students would think if they saw me going to the gender neutral restrooms. Despite the fact that this meant missing class, I would sometimes attempt to go to the restroom in the middle of the class, so that fewer students in the hallways would see me walking past the boys' restrooms to go to a special restroom instead. I also held my bladder as much as I could, which was extremely—at times, excruciatingly—uncomfortable.

30. By a stroke of luck, I had an art class last year in the middle of the day, with a single user restroom inside the classroom. Having access to a restroom in the middle of my

day provided some relief, but I was still careful about how much I drank before and during school, so that I could try to limit myself to one restroom break during the school day. While I intend to take art class again, it could be scheduled for any period of the day; an early or late art class would once again leave me in the terrible, anxiety-provoking position of not having reliable or convenient access to a restroom. And even when I did have art class in the middle of the day, I still felt very anxious about needing to use the restroom during other parts of my day.

31. Finally, I understand that a new building on the campus will open at the start of this academic year, and that it will contain some gender neutral restrooms. I am unclear how many classes, if any, I will have in the new building. Regardless, the building is on one side of the campus, and is not centrally located. Additionally, it will do nothing to reduce the pain and humiliation of being separated from my peers.

32. When I am in all other settings outside of school, I use the men's restroom. To my knowledge, there has never been an incident or complaint by others with my restroom use outside of school. I have never, and would never, invade anyone else's privacy in a restroom. I just want to use the restroom, wash my hands, and leave like everyone else does. I just want to be normal and blend in.

33. Access to the boys' restroom is also important to me because I want to interact with my peers like an equal. I am recognized as the boy that I am in every respect by peers and teachers, except at the moment I need to enter a restroom. It does not work for me to be a boy in every other part of my school life, but not when I need to perform one of life's most basic functions.

34. Being banned from the boys' restrooms is humiliating. It tells other students that I am not a real boy, and treats me like I am unfit to share a communal space with others—as if I am dangerous or perverted. I have enough to manage in a world that is still learning to understand transgender people without my school making the situation worse, and teaching my peers that I am not worthy of the same dignity and respect as all other boys.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 18, 2017.

A handwritten signature in blue ink, appearing to read "Drew Adams", written over a horizontal line.

Drew Adams

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through his next friend and mother, ERICA ADAMS KASPER,

No. 3:17-cv-00739-TJC-JBT

Plaintiff,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; TIM FORSON, in his official capacity as Superintendent of Schools for the St. Johns County School District; and LISA KUNZE, in her official capacity as Principal of Allen D. Nease High School,

Defendants.

DECLARATION OF ERICA ADAMS KASPER

I, Erica Adams Kasper, pursuant to 28 U.S.C §1746, declare as follows:

1. I am over the age of eighteen (18) and make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. I am the mother of Drew Adams. I am 40 years old, and I reside in Jacksonville Beach, Florida.

3. I am the proud parent of a boy, who is also transgender.

4. Drew's sex assigned at birth was female, but I suspected he was transgender before Drew told me. I had watched him become increasingly anxious, depressed, and withdrawn, especially as he went through female puberty. It was difficult then, and now, to

watch your child experience serious depression and anxiety. Like any parent, I want Drew to be happy and live a full life, in this case as the boy that he is.

5. In the days before Drew told me he is transgender, I was watching television with Drew when he saw an episode of The Ellen DeGeneres Show that included an interview with a transgender man. I noticed right away how mesmerized he was by the interview, and I could see the wheels turning in his head.

6. I had a moment of dread, and I thought to myself, “things are about to get really hard.” But I also knew that Drew was profoundly unhappy living as a girl. So, I waited until he was ready to talk to me. He messaged me on Facebook not long after, asking if he could have a binder, to bind his breasts and make his chest look more masculine. I approached him to talk about his desire for a binder, and I asked, “Are you transgender?” He said yes. His answer was not a surprise by that point – I was just waiting until he was comfortable enough to tell me.

7. Any worry I had about Drew starting to transition socially and medically, to live as the boy he knew himself to be, melted away as soon as I saw how dramatically it improved his quality of life. The change in his mood was drastic, it was as if someone had flipped a light switch. The anxiety and depression he experienced living as a girl, and going through female puberty, was lifted away. Drew became an increasingly confident and positive kid after he began to transition. Through this process, I now understand that the only way Drew can be truly happy and reach his full potential as a person is if he can live authentically as the boy that he is.

8. Drew has been diagnosed with gender dysphoria, and multiple providers have confirmed the diagnosis. After we were unable to find a local physician with sufficient expertise to treat Drew, we were referred to the Duke Child and Adolescent Gender Care clinic (“Duke Clinic”) in North Carolina. Our first visit to the Duke Clinic was at the end of March 2016.

9. In June 2016, Drew was given his first testosterone prescription. When the doctor provided the prescription during our appointment, Drew could barely restrain himself from asking whether he could pick up the prescription right away and administer the dose himself. The doctor said he could go right ahead, and we went to pick up Drew’s prescription. I remember that Drew exclaimed “I did it!” as soon as he had given himself the shot. He was so excited that he was grinning from ear to ear. He was happier on that day than I had ever seen him before.

10. Drew had a double mastectomy at the end of May 2017, as one of the next major steps in his transition. The surgery, which gives his chest a more masculine appearance, has clearly brought Drew a profound sense of relief and peace. The day he learned he was approved for this surgery, Drew cried as he was overwhelmed with joy. As with the testosterone, this step to affirm his gender as a boy was once again one of the happiest moments of his life. As a result, as a parent, it was one of mine as well.

11. Along with taking these medical steps to transition, Drew has also updated the gender marker on his driver’s license from female to male, to have his identification accurately reflect who he is.

12. Although Drew has consistently used the men's restroom in a host of settings since the summer of 2015, he came home on or around September 22, 2015 and told me that he had been pulled out of class and summoned to the counselor's office, where he met with three guidance counselors, including then-IB Program guidance counselor Kim Hollis. He said that someone had anonymously reported his use of the boys' restroom, and that he was instructed to use only gender neutral restrooms on campus from that point forward.

13. Prohibiting the use of boys' restrooms at school began a chapter of heartache and distress for Drew. I felt hurt and angry as I watched this take a huge toll on him. Drew had been progressing so well in his transition, and the school's new policy undermined Drew's identity on a daily basis.

14. I could see that Drew experienced the school's singling out of him for differential treatment as a profound negation of his identity as a boy. I observed that this was extremely painful and difficult for him and we have discussed its impact countless times since that day. Drew began restricting his fluid intake, and attempting to hold his bladder throughout the day so as not to have to use restrooms that were demeaning and inconvenient for him. Requiring him to use a gender neutral restroom made him feel singled out as different. I recall him needing to rush home to use the restroom after holding his bladder for hours. It was heart-breaking, and I tried to address it with school officials in an effort to avoid taking legal action.

15. I sent letters to then-Principal Kyle Dresback and then-Superintendent Joseph Joyner right after Drew was first instructed on or around September 22, 2015 not to use boys' restrooms. My letters requested that Drew be treated as equal to all other boys in the school,

and allowed to use the boys' restrooms. I did not receive a response from Superintendent Joyner.

16. Shortly thereafter, in early October 2015, Drew and I met with Principal Dresback, social workers Holly Arkin and Christy McKendrick, and Director of Student Services Sallyanne Smith. Principal Dresback did not say much during the meeting. Ms. Smith was kind and said that several staff had recently attended a conference in Fort Lauderdale that discussed best practices for transgender students. Ms. Smith said they wanted to accommodate Drew, but that the school's hands were tied without approval from the St. Johns County School District ("District"), and that this was "a District issue."

17. I next scheduled a meeting with two officials from the District, and met on or around November 23 or 24, 2015, with then-Associate Superintendent Cathy Mittelstadt and Deputy Superintendent Brennan Asplen. Mr. Asplen repeatedly raised the issue of "biology" during our meeting, which he used to refer to genitals. I had brought an assortment of studies, articles, and other materials about transgender students to help the District officials understand how important equal treatment is, but Mr. Asplen explained his view that "98% of the people in this District would not understand" if Drew were allowed to use the boys' restroom. Mr. Asplen said he was more concerned about legal action by the parent of a cisgender (*i.e.*, non-transgender) child than legal action by Drew.

18. I offered during that meeting, and later via email, to help educate other parents in the District about transgender children, but was rebuffed. Mr. Asplen again focused his attention on the issue of genitals and asked what would happen if a transgender girl were to come out of a stall and "wave her penis around." I said words to the effect of, "Sir, I don't

know what kind of bathrooms you've been in, but I've never seen a naked person in a bathroom." I pointed out that lewd behavior by *any* student is already against the law.

19. I contacted the U.S. Department of Education's Office for Civil Rights ("OCR") in November 2015 to file a complaint. I submitted an online form, and roughly a week later OCR contacted me and said they would like to look into the complaint. OCR informed me that they asked the District if it would like to mediate the matter, and that the District declined. OCR then opened a full investigation. The assigned investigator, Roger Mills, collected a map and photos of the campus, and informed me that he had interviewed a variety of officials with the school and the District.

20. As the investigation continued, Mr. Mills suggested that I reach out to the school to continue the dialogue. On April 8, 2016, I met with Ms. Mittelstadt, Ms. Arkin, and Ms. McKendrick. Ms. Mittelstadt described this as a "civil rights issue," but said that the District is "too conservative" and "not there yet." I pointed out that other Florida school districts, like Broward County Public Schools, treat their transgender students equally by permitting them to use the restroom that matches their gender identity. Unfortunately, this meeting too yielded no progress.

21. Drew and I met again with Ms. Mittelstadt on May 4, 2016, but we were once again unsuccessful in securing a policy change that would allow Drew equal access to the boys' restrooms.

22. Unfortunately, this policy has had a very negative impact on Drew and his progress with his transition. My son continues to be treated by school officials as less than

other students by being relegated to the gender neutral restrooms. This is profoundly demeaning, distressing, and upsetting to him.

23. The most frustrating part of this is that the school officials have articulated no good reason for this policy, nor have they identified any instance of misconduct or inappropriate behavior that would support this action against Drew in particular. At no point during any of my meetings with school officials did anyone provide information or evidence suggesting that allowing Drew into the boys' restroom would cause any harm to others.

24. When Drew is in all other settings outside of school, he uses the men's restroom. To my knowledge, there has never been an incident or complaint by others with his restroom use outside of school.

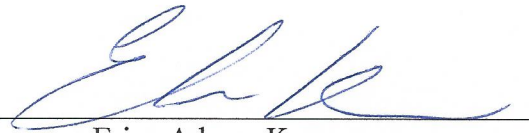
25. Like any other parent, I want my son to have every chance for success in life. A critical part of that for Drew is having his core male gender identity respected. Drew has shown remarkable improvement in his wellbeing and happiness after being affirmed as the male that he is, including through the process of transition. This is why the school's interference with his transition process, by shunting him into restrooms that repudiate his identity as a boy, is so distressing to watch, and even more distressing for Drew to experience.

26. I continue to advise Drew to follow the school's rules, even though they seem deeply discriminatory and unfair. Although this policy is hurting Drew, I do not want him to wind up with a disciplinary record, given that he is an honors student with a bright future ahead and plans to attend medical school. The situation makes me feel angry, sad, and absolutely helpless to protect my son. I would not wish these circumstances on any person,

but it feels especially cruel and mean to impose them on a powerless child. It is difficult enough being a transgender teenager, but these discriminatory practices have compounded the situation and are creating increased stress and anxiety in Drew, who is otherwise making great progress. Drew and I talk frequently about our hope that there will eventually be a day when no parent or child has to suffer through this type of discrimination. This hope is what has fueled me to participate in this lawsuit in an effort to make the situation better for Drew, and every other transgender child, as they all deserve to be treated like any other boy or girl their age.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 18, 2017.



Erica Adams Kasper

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through his next friend and mother, ERICA ADAMS KASPER,

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Plaintiff,

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THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; TIM FORSON, in his official capacity as Superintendent of Schools for the St. Johns County School District; and LISA KUNZE, in her official capacity as Principal of Allen D. Nease High School,

Defendants.

DECLARATION OF DIANE EHRENSAFT, Ph.D.

I, Diane Ehrensaft, pursuant to 28 U.S.C. §1746, declare as follows:

1. I am over the age of eighteen and submit this expert declaration based on my personal knowledge.

2. If called to testify in this matter, I would testify truthfully and based on my expert opinion. The opinions and conclusions I express herein are based on a reasonable degree of scientific certainty.

Qualifications and Experience

3. I am a developmental and clinical psychologist. I specialize in working with children and adolescents experiencing gender dysphoria and their families. A true and correct copy of my Curriculum Vitae is attached hereto as Exhibit A.

4. During my thirty-five year career as a psychologist, I have provided consultation, therapy, and evaluations for more than 500 transgender and gender nonconforming children and adolescents and their families.

5. Due to my expertise in this area, a portion of my private practice includes consulting with mental health providers across the United States to assist those providers in working with transgender youth. Over the years, I have consulted with approximately 200 mental health and related providers to assist them in their treatment of transgender youth and their families.

6. In addition to my private practice, I helped found the Child and Adolescent Gender Center (“CAGC”) at the University of California, San Francisco (“UCSF”) Benioff Children’s Hospital in San Francisco, California, along with several colleagues. I have served as CAGC’s Director of Mental Health since its inception in July 2009 and was appointed an Adjunct Associate Professor at the UCSF Department of Pediatrics.

7. As part of my work through CAGC, I organize and facilitate a group of local mental health providers that work with children and adolescents experiencing gender dysphoria called “Mind the Gap.” The group meets every month to discuss issues we see in our respective practices and provide support and outreach to each other so that we can provide the best care possible to our patients. Mind the Gap has developed training materials and assessment protocols, and provides community psychotherapy and evaluation for patients who attend the UCSF Child and Adolescent Gender Center Clinic at Benioff Children’s Hospital in San Francisco and San Mateo, and at the Children’s Hospital in Oakland. There are approximately 175 providers who participate in the group.

8. I serve on the Board of Directors of Gender Spectrum, a national organization offering educational, training, and advocacy services to schools and youth-serving organizations to become more gender inclusive. The organization also develops resources for parents and schools regarding transgender youth in school. For example, Gender Spectrum was a lead co-author of *Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools*, which was co-authored by the National Education Association; and, more recently authored *Transgender Students and School Bathrooms: Frequently Asked Questions*, a resource endorsed and supported by the American School Counselor Association, the National Association of Elementary School Principals, the National Association of School Psychologists, and the National Association of Secondary School Principals. Furthermore, I am actively involved in designing the organization's training program for healthcare professionals, and regularly conduct trainings as the group's mental health consultant to provide better education and services for those counseling and interacting with transgender youth and their families.

9. I am also a senior consultant, founding member, and board member of A Home Within, a national organization focusing on the emotional needs of children and youth in foster care and offering pro bono long-term psychotherapy to children in foster care.

10. As an Adjunct Associate Professor in the Department of Pediatrics at UCSF, I have taught courses including *The Treatment of Gender-Nonconforming Children*; *The Emotional Development of Gender-Nonconforming Children*; *Interdisciplinary Support of Gender-Nonconforming and Transgender Children*; *Parenting a Gender nonconforming/*

Transgender Child. I have also lectured at the University of California, Berkeley and The Wright Institute, which is a clinical psychology graduate school, in Berkeley, California.

11. I am currently working as a co-investigator on a five-year study operating at four sites (UCSF, Boston Children's Hospital, Los Angeles Children's Hospital, and Lurie Children's Hospital of Chicago), funded by a National Institute of Health ("NIH") grant to study the medical and mental health outcomes of gender nonconforming youth receiving puberty blockers and/or cross-sex hormones as part of their treatment.

12. My recent publications include *The Gender Creative Child*, The Experiment Press (2016); *Look, Mom, I'm a Boy—Don't Tell Anyone I Was a Girl*, 10 *J. of LGBT Youth* 1–20 (2013); *From Gender Identity Disorder to Gender Identity Creativity: True Gender Self Child Therapy*, 59 *J. of Homosexuality* 337-356 (2012); *Gender Born, Gender Made*, The Experiment Press (2011); and *Boys Will Be Girls, Girls Will Be Boys*, 28 *Psychoanalytic Psychology* 528-548 (2011). A listing of my publications is included in my curriculum vitae, attached hereto as Exhibit A.

13. I belong to a number of professional organizations and associations relating to (i) the health and well-being of children and adolescents, including those who are transgender; and (ii) appropriate medical treatments for transgender individuals. For example, I am a member of the World Professional Association for Transgender Health ("WPATH"), an international multidisciplinary professional association to promote evidence-based care, education, research, advocacy, public policy and respect in transgender health. WPATH publishes the *Standards of Care for the Health of Transsexual, Transgender, and Gender Nonconforming People*, which leading medical and mental health associations,

including the American Medical Association, the Endocrine Society, the American Psychiatric Association, and the American Psychological Association, have endorsed as the authoritative standards of care for transgender people. I also sit on the subcommittee of WPATH tasked with drafting the new version of the Standards of Care. A complete list of my involvement in various professional associations is located in my Curriculum Vitae, Exhibit A.

14. In preparation for my testimony, I have reviewed the materials listed in the bibliography attached hereto as Exhibit B, and which consist relevant medical and scientific materials related to transgender people and gender dysphoria. I may rely on those documents, in addition to the documents specifically cited as supportive examples in particular sections of this declaration, as additional support for my opinions. I reserve the right to supplement the materials listed in the bibliography. I have also relied on my years of experience in this field, as set out in my curriculum vitae, Exhibit A, and on the materials listed therein. The materials I have relied on in preparing this declaration are the same type of materials that experts in my field of study regularly rely upon when forming opinions on the subject.

15. In the past four years, I have testified as an expert and provided testimony in the following matters: *Evancho v. Pine-Richland Sch. Dist.*, Case No. 2:16-cv-1537-MRH (W.D. Pa.); *Bd. of Educ. of the Highland Local Sch. Dist. v. United States Dep't of Educ.*, Case No. 2:16-CV-524 (S.D. Ohio); *Brashar v. Or. Health Plan* (Or.); *Miller v. Perdue* (Colo.); and *Stephane Huard v. Dr. Barwin and Broadview Fertility Clinic* (Quebec, 2016).

16. I am being compensated at an hourly rate for actual time devoted, at the rate of \$350 per hour for any review of records, or preparation of reports or declarations, and for deposition and trial testimony; and \$1,000 per day for travel time. My compensation does not depend on the outcome of this litigation, the opinions I express, or the testimony I provide.

17. I was provided with and reviewed the following case-specific materials: (1) the Complaint filed in this matter and (2) the declarations of Plaintiff Drew Adams and his mother, Erica Adams Kasper, that are being submitted in support of Plaintiff's motion for preliminary injunction.

18. I have not met or spoken with the Plaintiff or his parents for purposes of this declaration. My opinions are based solely on the information I have been provided by Plaintiff's attorneys as well as my extensive experience studying gender dysphoria and treating transgender patients.

Gender Identity Development and Gender Dysphoria

19. At birth, infants are assigned a sex, either male or female, based solely on the appearance of their external genitalia. For most people, that assignment turns out to be accurate and their birth-assigned sex matches that person's actual sex. However, a transgender person's birth-assigned sex does not reflect that person's actual sex.

20. By the beginning of the twentieth century, scientific research had established that external genitalia alone—the typical criterion for assigning sex at birth—is not an accurate proxy for a person's sex. Instead, current medical understanding recognizes that a person's sex is comprised of a number of components including: chromosomal sex, gonadal

sex, fetal hormonal sex (prenatal hormones produced by the gonads), internal morphologic sex (internal genitalia, i.e., ovaries, uterus, testes), external morphological sex (external genitalia, i.e., penis, clitoris, vulva), hypothalamic sex (i.e., sexual differentiations in brain development and structure), pubertal hormonal sex, neurological sex, and gender identity and role. When there is a divergence between these factors, neurological sex and related gender identity are the most important and determinative factors.

21. Gender identity is a person's inner sense of belonging to a particular gender, such as male or female. It is a deeply felt and core component of human identity. It appears to be related to one's brain messages and mind functioning, the factors that are now included under the category of neurological sex.

22. Like non-transgender people (referred to in the Complaint as "cisgender" people), transgender people do not simply have a "preference" to act or behave consistently with their gender identities. Every person has a gender identity, which is a deep-seated, deeply felt component of human identity for each person. A person's gender identity is not a personal decision, preference, or belief.

23. The only difference between transgender people and non-transgender people is that the latter have gender identities that are consistent with their birth-assigned sex whereas the former do not. A transgender boy cannot simply turn off his gender identity like a switch, any more than anyone else could.

24. In other words, transgender boys are boys and transgender girls are girls.

25. Current science recognizes that gender identity is innate or fixed at a young age and that gender identity has a biological basis. For example, both post-mortem and

functional brain imaging studies in living people show that transgender people have areas of the brain that differ from the brains of non-transgender individuals. Additionally, research has found that the probability of a sibling of a transgender person also being transgender is almost five times higher than that of the general public, and that twins have a 33.3% concordance rate, even when raised apart, suggesting a genetic component to the incongruity in the biological markers of gender.

26. The evidence demonstrating that gender identity cannot be altered, either for transgender or for non-transgender individuals, further underscores the innate and immutable nature of one's gender identity. Past attempts to "cure" transgender individuals by means of psychotherapy, aversion treatments or electroshock therapy, in order to change their gender identity to match their birth-assigned sex, have proven ineffective. As importantly, evidence suggests that such efforts may cause extreme psychological damage. All major associations of medical and mental health providers, such as the American Medical Association, the American Psychiatric Association, the American Psychological Association, and WPATH's Standards of Care, consider such efforts unethical and dangerous, as they may cause extreme psychological harm.

27. Children typically become aware of their gender identity at a young age, as early as between the ages of two and four. Once aware that their gender identity does not match the sex they were assigned at birth, transgender children often begin to express their cross-gender identity to their family members and caregivers. The statements and actions transgender children use to communicate their cross-gender identity differ significantly from the occasional adoption of a cross-gender identity, or cross-gender clothing by non-

transgender children in imaginative play. Transgender children are insistent, persistent, and consistent over time in their cross-gender identification. They may also show signs of psychological distress as a result of the mismatch between their birth-assigned sex and their actual sex.

28. Gender dysphoria is the medical diagnosis for the significant distress and/or problems functioning that result from the incongruity between various aspects of one's sex. It is a serious medical condition and is listed in both the DSM-5 and the World Health Organization's International Classification of Diseases, the diagnostic and coding compendia for mental health and medical professionals, respectively. People diagnosed with gender dysphoria have an intense and persistent discomfort with their assigned sex.

29. Gender dysphoria was previously referred to as gender identity disorder. In 2013, the American Psychiatric Association changed the name and diagnostic criteria to be "more descriptive than the previous DSM-IV term gender identity disorder and focus[] on dysphoria as the clinical problem, not identity per se." DSM-5 at 451.

30. The psychophysiological experiences of gender dysphoria symptoms vary in kind and degree. Not all transgender young people experience dysphoria. Different types of biological and environmental triggers can cause onset of symptoms.

31. Some environmental triggers of gender dysphoria symptoms are related to a lack of respect for social transition including, but not limited to, misgendering in the form of pronoun use, prohibition of involvement in activities in accordance with one's gender identity, and denying someone access to a restroom or changing facilities that match the person's gender identity.

Standards of Care for Working with Transgender Youth

32. Like all children, when loved, supported, and affirmed by their parents and caretakers and by their social environment, transgender children can thrive, grow into healthy adults and have the same capacity for happiness, achievement, and contribution to society as others. For these youth, that means supporting their need to live in a manner consistent with their gender identity.

33. Obtaining treatment for gender dysphoria and ensuring that a transgender child is in an environment that does not undermine that treatment are critical to a transgender child's healthy development and well-being. For young transgender children, the treatment of gender dysphoria consists of social transition, which involves changes that bring the child's outer appearance and lived experience into alignment with the child's core gender. Changes often associated with a social transition include changes in clothing, name, pronouns, and hairstyle.

34. Support for social transition—such as dressing in accord with one's gender identity, respecting a person's chosen name and correct pronouns, and providing access to restrooms that match who they are—can thus both treat and prevent negative psychological and psychophysiological symptoms of gender dysphoria. Mental health care can also address symptoms of gender dysphoria.

35. Research and clinical experience have shown that consistent respect and inclusive acknowledgement of a transgender youth's gender identity (i.e., positive reinforcement of social transition) improves that child's mental health and reduces the risk that the child will engage in self-harming or suicidal behaviors. In fact, undergoing a social

transition before puberty often provides tremendous and immediate relief because there are few, if any, observable physical differences between boys and girls at that age.

36. There are no pharmacologic treatments for gender dysphoria until after the onset of puberty. However, after the onset of puberty, adolescents suffering from gender dysphoria may be placed on puberty suppressors (i.e. hormone blockers) to block the stopping the development of secondary sex characteristics that do not align with the adolescent's gender identity. Thereafter, usually around the age of 16, gender dysphoric adolescents are treated with cross-sex hormones to bring their bodies into alignment with their sex, as primarily determined by their gender identity. For example, a transgender girl will receive estrogens which result in breast growth and female fat distribution, while a transgender boy will receive androgens and will become more muscular and develop a lower voice as well as facial and body hair.

37. Surgical treatment is not typically recommended until an adolescent is, at minimum, in his or her mid- to late-teens, depending on the specific procedure. However, once gender dysphoric adolescents come of age and meet the eligibility criteria, they can be eligible for surgical interventions meant to bring their bodies into alignment with their identity. The need, timing, and nature of the surgical treatment will differ from patient to patient.

38. Many transgender individuals never undergo surgery or do so only later in life. For many transgender individuals, surgery is not medically necessary or may be safely delayed for some time as their dysphoria is alleviated through social role transition and other medical treatments.

39. A person's gender identity is an innate, effectively immutable characteristic; a person's sex is not determined by a particular medical treatment or procedure. Thus, from a medical and scientific perspective, a person's gender is not dependent on whether or not that person has undergone surgery or any other medical treatment. The medical treatments provided to transgender people (including social transition for transgender children), do not "change a girl into a boy" or vice versa. Instead, they affirm the authentic gender that an individual person *is*. Treatments fall below the accepted standards of care if they fail to recognize that a youth's affirmed gender identity is not how they feel, but rather who they are. The goal of proper treatment is to align the person's body and lived experience with the person's fixed identity as male or female, which already exists. Treatment creates more alignment between the person's identity and the person's appearance, attenuating the dysphoria, and allowing the person's actual sex, male or female, to be seen and recognized by others.

40. Failure to recognize and support a transgender student's gender identity also relies on an outmoded and scientifically unsound premise that transgender identity is only how a person feels, not who they are, and that a transgender girl can never be a "real" girl and a transgender boy can never be a "real" boy because they lack the chromosomes and genitalia stereotypically-associated with their gender identity. Scientific evidence is now available indicating that gender identity not only has a strong core component but also is primarily dictated by messages from our brain rather than either chromosomes or physiological sex characteristics. With that said, it should be noted that a transgender

youth's gender identity—translated to the sex they live in—is as real as any cisgender youth's and should be treated accordingly in all settings, including schools.

Supporting the Mental Health of Transgender Youth in Schools

41. In the school setting, providing appropriate support includes ensuring that teachers and other staff refer to transgender students by their chosen names and correct pronouns, permitting the transgender student to use the sex-separated facilities that are consistent with their gender identity on the same terms as their peers, and generally treating transgender students in a manner consistent with their gender identity for all purposes. Failing to recognize and support a transgender student's gender identity sends a message—both to the transgender student and to others—that the transgender student is different from his or her peers and needs to be segregated, causing the transgender student to experience shame.

42. Transgender children experience significant psychological distress when parents/caregivers or school staff repeatedly fail to acknowledge the child's gender identity or treat the child in a manner consistent with his or her inaccurate, birth-assigned gender. Because gender is a core aspect of a person's identity, transgender children who are treated in this way experience that mistreatment as a profound rejection of their core self, which has serious negative consequences for their development and their long-term health and well-being. The intensity of that distress is directly correlated to the level of rejection or disapproval expressed by a parent, caregiver, or school staff. Greater levels of rejecting behaviors significantly increase the risk that the child will develop long-term mental health

conditions, including serious negative mental health consequences such as low self-esteem, anxiety, depression, substance use issues, self-harming behaviors, and suicidal ideation.

These conditions accumulate in their severity and also show up immediately in the face of rejecting circumstances, such as when transgender children are told that they cannot use the restroom that matches the gender they know themselves to be.

43. Rejecting or disapproving of a child's gender identity interferes with the child's healthy development across all domains, including difficulty maintaining healthy interpersonal relationships and developing emotional resilience, among others.

44. Given the amount of time that students spend in school, the school environment has a tremendous impact on a transgender student's development and well-being. Ensuring that schools support a transgender student's gender is critical to their long-term health and well-being. In a study of transgender youth between ages 15 and 21, participants identified school to be the most traumatic aspect of growing up. Experiences of rejection and discrimination from teachers and school personnel led to feelings of shame and unworthiness. The stigmatization to which transgender youth were routinely subjected led many to experience academic difficulties and to drop out of school. The longer a child experiences rejection from his or her family, school, or community, the more significant and long-lasting the negative consequences. Research and surveys have found that transgender adults who experienced discrimination in schools were more likely to have attempted suicide. Research and surveys have also found that a high percentage of transgender people used drugs and alcohol to cope with the mistreatment they experienced based on their gender identity.

45. The negative mental health effects of rejection can also cause a transgender child to develop co-occurring mental health conditions, such as major depression, generalized anxiety disorder, and eating disorders. The symptoms associated with those co-occurring conditions typically alleviate significantly once a transgender child's gender identity is affirmed. However, if the child remains in an environment, whether at home or in school, where the child's gender identity is not recognized and supported, that mistreatment can exacerbate those conditions, resulting in lasting harm.

46. Partial acceptance is not enough. If a caretaking or school environment offers support in certain domains—such as appropriate pronoun and name use—yet fails to offer support in other areas—such as allowing the child to use the restroom that matches the gender they know themselves to be and/or sending harmful messages that the child, if incorrectly assigned female at birth will always be a girl—such inconsistency can be a confusing and stressful experience for the youth. This stress-inducing experience can in turn result in a lack of trust in an environment that both supports and punishes the same behavior, in this instance the child's affirmation of his or her actual sex. Research has consistently shown that children who receive inconsistent rather than consistent reinforcement of behaviors are at risk for behavioral problems, generalized anxiety, and psychiatric symptoms.

47. I am aware from the case materials I have reviewed that Plaintiff Drew Adams is not permitted to use the boys' restroom at school and that he is instead required to use one of the single-user restrooms in the school. I am also aware that at the beginning of his freshman year, Drew was able to access the restroom that matched his affirmed male gender, a situation which allowed him to feel comfortable and accepted in his school environment.

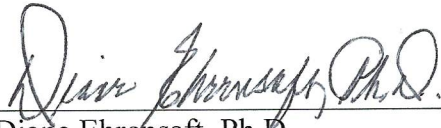
48. Based on my extensive experience researching and working with transgender children, it would be psychologically damaging for a transgender child to be forced to use either the sex-segregated restroom that does not comport with their gender identity or a separate single-user restroom that other students are not required to use. In addition, there are serious health concerns, as these youth, when barred from using the restroom that matches their affirmed gender identity, will instead typically choose to restrict or forego restroom use at school, putting them at risk for urinary tract infections and impacted bowels.

49. I understand that an administrator in Drew's school district has expressed a concern that some transgender students might take advantage of communal restroom facilities to display their genitals to others. This is simply wrong, and profoundly at odds with the reality of transgender youth's experiencing gender dysphoria and their restroom use. The issue for transgender students is overwhelmingly one in which they seek privacy and discreteness in restroom use, as their genitalia or any part of their body that reveals secondary sex characteristics is typically the source of significant to severe body dysphoria and distress related to such dysphoria. In other words, exposing parts of their body that are often associated with gender dysphoria, such as genitalia, is generally the last thing any transgender student wants to do. Nor are transgender students disproportionately likely to engage in misconduct of any kind, in restrooms or any other facility. Certainly there is no evidence that they would be more likely than any other individual to engage in such inappropriate behaviors.

50. I respectfully reserve the right to modify and expand upon my testimony as the facts are developed in this matter.

This declaration was executed this 14th day of July, 2017 in Alameda County,
California.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is
true and correct.


Diane Ehrensaft, Ph.D.

INDEX OF EXHIBITS TO EHRENSAFT DECLARATION

Letter	Title
A	Curriculum Vitae
B	Bibliography

Exhibit A

Exhibit A to Ehrensaft Decl.: Curriculum Vitae

CURRICULUM VITAE

NAME: Diane Ehrensaft, Ph.D.

ADDRESS: 445 Bellevue Avenue Suite 302,
Oakland, California 94610

TELEPHONE: 510-547-4147

FAX: 510-547-7692

E-MAIL: dehrensaft@earthlink.net

PRESENT POSITIONS:

- Adjunct Associate Professor, Child Gender Clinic, Department of Pediatrics, University of California San Francisco, San Francisco, CA
 - Responsibilities: Assessment, Treatment, and Consultation advising with gender-nonconforming children and their families
- Director of Mental Health, Child and Adolescent Gender Center CAGC, San Francisco Bay Area
 - Responsibilities: Coordinating mental health services and directing consortium of child gender specialists
- Faculty, Psychoanalytic Institute Of Northern California, San Francisco, CA
 - Responsibilities: Teaching, Research Development
 - Areas:
 - Gender, Childhood and Adolescence
 - Reproductive Technology
- Clinical Psychologist, Private Practice, Oakland, CA
 - Responsibilities:
 - Psychotherapy with children and adults
 - Psychological evaluations
 - Custody evaluations
 - Mediation
 - Parenting consultations
 - Training and consultation
 - Forensic work: expert witness

STATUS:

- Ph.D. in Psychology
- Licensed Clinical Psychologist (California License # PSY 7342)

EDUCATION:

- University of Michigan: B.A. in Psychology 1964-1968
 - Graduated with honors in Honors Psychology Program
- University of Michigan: Ph.D. in Psychology 1968-1974
 - Received Ph.D. in May 1974
 - Course work Concentration: Child development; child psychotherapy; socialization; family
 - Psychology Prelim Exams: Communal child rearing and the social development of the child
 - Dissertation title: “Sex role socialization in a preschool setting”

EDUCATIONAL AWARDS AND APPOINTMENTS:

- 1968, 1969, 1970: NIMH Traineeship, University of Michigan
- 1970: Teaching Assistantship, School of Social Work, U. of Michigan
- 1971: Teaching Assistantship, Psychology Department, U. of Michigan
- 1971: Rackham Predoctoral Fellowship, University of Michigan
- 1972: University of Michigan Dissertation Grant
- 2012: Annual Scholarship Award, Section on Gender and Psychoanalysis, Division of Psychoanalysis, American Psychological Association
- 2013: Award for Outstanding Service, Section on Childhood and Adolescence, Division of Psychoanalysis, American Psychological Association
- 2014: Community Service Award, for Commitment to Child and Adolescent Gender Center, Northern California Society for Psychoanalytic Psychology

GRANTS:

- 2015 National Institute of Health (NIH)
 - R01HD082554: The Impact of Early Treatment of Transgender Youth
 - 08/01/2015-06/30/2020
 - Role: co-Investigator.

EMPLOYMENT EXPERIENCE:

- 2012 to present: Adjunct Associate Professor, Department of Pediatrics, UCSF
- 1980 to present: Clinical Psychologist in private practice
- 1981 to 2004: Professor, The Wright Institute, Berkeley, California
- 1986 to 2005: Expert panel, Family Court, Counties of Alameda & San Francisco
 - Responsibilities: Court-appointed child and custody evaluations
- 1994 to present: Senior clinical faculty, A Home Within
 - Project offering pro bona long-term psychotherapy to children in foster care

- 1999 to present: Faculty, Psychoanalytic Institute of Northern California
- 2000 to present: Clinical Supervisor and Consultant, West Coast Children's Center
 - Responsibility: Supervision of interns, clinical training and consultation
- 1995 to 1999: Member, Mediation Resources
 - Interdisciplinary team of psychologists and lawyers offering mediation, evaluation, and consultation services pertaining to dispute resolution in family and commercial matters
- 1995 to 1999: Clinical faculty, Mt. Zion Psychiatric Department, University of California, San Francisco
 - Responsibilities: Clinical supervision of psychology interns
- 1992 to 1998: Clinical faculty, Ann Martin Children's Center, Piedmont, California
 - Responsibilities: Clinical supervision to psychology interns
- 1986 to 1992: Clinical faculty, Department of Psychiatry, Children's Hospital San Francisco
 - Responsibilities: Clinical supervision of psychology interns
- 1986 to 1990: Clinical consultant, Children's Hospital Medical Center of Northern California, Oakland
 - Responsibilities: Clinical training
- 1985 to 1986: Consulting Psychologist Health America Rockridge, Oakland, California
 - Responsibilities: Consultation to Pediatrics Department
- 1982 to 1988: Independent contractor to Child Development Center, Children's Hospital Medical Center of Northern California
 - Responsibilities: Psychological Evaluations of developmentally disabled children, consultation with staff and parents.
- 1980 to 1983: Mental Health Consultant, Alameda Headstart, Alameda, CA
 - Responsibilities: Clinical consultation and training with Headstart staff in areas of child and family mental health; observation and evaluation of children enrolled in Headstart program; psychological consultations with families enrolled in the program
- 1980 to 1981: Post Doctoral Fellowship Child Guidance Clinic and Adult Psychiatric Services Children's Hospital San Francisco
 - Responsibilities: Psychological testing, evaluation, and treatment Of adults, children, and families; consultation with schools and related hospital services
- 1979 to 1981: Faculty, University of San Francisco Faculty member of the Family Reunification Project, sponsored by the University of San Francisco in conjunction with the San Francisco Department of Social Services
 - Responsibilities: Teaching courses in the area of child psychopathology to Department of Social Service social workers enrolled in in-service Masters of Arts in Public Services program.

- 1979 to 1980: Post-Doctoral Internship Family Guidance Services, Children's Hospital Medical Center
 - Responsibilities: Evaluation of children and families in a multi- disciplinary mental health clinic serving a broad range of families
- 1979 to 1980: Post-Doctoral Internship Child Development Center, Children's Hospital Medical Center
 - Responsibilities: Psychological screening and evaluation of young children referred for developmental disabilities and related problems; treatment planning; consultation to schools, day care programs, and community agencies
- 1977 to 1979: Faculty, Field Studies Program, University of California, Berkeley
 - Responsibilities: Teaching field based courses in the areas of child rearing, parenting, and the family; women, gender, and social change. Administrative responsibilities involving staff development and program evaluation
- 1974 to 1978: Faculty, Interdisciplinary Program on Day Care and Child Development, University of California, Berkeley Graduate Program funded by the Carnegie and Grant Foundations and sponsored jointly by the Department of Education, School of Social Welfare, and School of Public Health offering advanced training to a selected group of pediatricians, educators, and social workers.
 - Responsibilities: Evaluate effectiveness of graduate training program in day care and child development; program development; teaching
- 1974 to 1978: Faculty, School of Social Welfare, University of California, Berkeley
 - Responsibilities: Teaching in areas of research theory and methods, children and the family; women and mental health; dissertation supervision
- 1972 to 1973: Faculty, Sociology Department, Sir George Williams University, Montreal, Quebec
 - Responsibilities: Teaching courses on the sociology of the family
- 1972: Director, Park Avenue Day Care Center, Montreal, Quebec
 - Government-sponsored preschool program for Greek immigrant families to teach them French and English language skills and prepare them for entrance into Montreal school system.
 - Responsibilities: Program administration; liaison with Quebec and Canadian government; mental health consultation to staff and program families
- 1971: Teaching Assistant, Department of Psychology, University of Michigan
 - Responsibilities: Running the developmental psychology lab for undergraduate and graduate level students; teaching in develop- mental psychology class
- 1970: Teaching Assistant, School of Social Work, University of Michigan
 - Responsibilities: Assistant teaching in course on complex organizations
- 1970: Clinician and research assistant, Project on marital communication and family therapy in a natural setting, School of Social Welfare, University of Michigan

- Responsibilities: Family therapy in office and home setting; compilation and analysis of research data on therapeutic outcome
- 1969: Group therapist, Huron Valley Child Guidance Clinic, Ypsilanti, Michigan
Nonresidential summer therapy program for emotionally disturbed boys ages 5-14.
 - Responsibilities: Co-led group therapy with a group of 9-10 year old boys.
- 1968 to 1969: Graduate clinical internship, Office of Economic Opportunity Day Care Center, Ecorse, Michigan
 - Responsibilities: Mental health consultation to staff and families, play therapy with children enrolled in program
- 1968 to 1969: Graduate clinical internship, Downriver Child Guidance Clinic, Lincoln Park, Michigan
 - Responsibilities: Therapy with school-age children and families
- 1968: Research Assistant, Department of Psychology, University of Michigan
Clinical research on aggression and dependency in college students
 - Responsibilities: Analysis of Thematic Apperception Test protocols
- 1967: Research Assistant, Institute for Industrial Relations, University of Michigan
Project on American ghettos
 - Responsibilities: Library research, document preparation, analysis of data.

PROFESSIONAL ACTIVITIES:

- 2015: Co-Chair, APA Division of Psychoanalysis (39) Spring Meeting, Life in Psychoanalysis in Life, San Francisco, CA
- 2014: AbbVie Trans Advisory Board Member
- 2010: President, Professional Advisory Board, A Home Within
- 2009 to present: Member of Professional Advisory Board, A Home Within
- 2008 to present: Board Member, Gender Spectrum
- 2008 to present: Board Member, Section IX, Psychoanalysis and Social Responsibility, Division of Psychoanalysis, American Psychological Association
- 2007 to present: Member of Mental Health mental health professional group of the American Society for Reproductive Medicine
- 2007 to present: Chair, Reproductive Technology Research Group, Psychoanalytic Institute of Northern California
- 2004 to 2009: Vice President, Board of Directors, A Home Within
- 2004 to present: Member of Board of Directors, A Home Within
- 2002 to 2008: Board Member, Section III (Gender and Psychoanalysis), Division 39 (Psychoanalysis), American Psychological Association
- 2001 to 2004: Secretary, Board of Directors, A Home Within
- 2000 to 2003: Board Member, Division 39 (Division of Psychoanalysis) Board of Directors, American Psychological Association

- 1999 to present: Editorial Board Member, *Studies in Gender and Sexuality*, a journal on psychoanalysis, cultural studies, treatment, and research
- 1998 to present: Board Member and Membership Chair, Section II (Childhood and Adolescence) of Division 39 (Division of Psychoanalysis), American Psychological Association
- 1994 to present: Senior clinician, Children's Psychotherapy Project
 - Project established to offer pro bona long-term psychotherapy to children referred through the Department of Social Services Senior clinicians run consultation groups for psychotherapists who provide the therapy services and are also involved on program development, training, administration, and evaluation.
- 1993 to present: Editorial review board, *American Journal of Orthopsychiatry*
- 1992-1993: Co-chair, Education Committee, Northern California Society for Psychoanalytic Psychology
- 1992: Development Committee, Child Care Employee Project
- 1991-1992: Committee Member, Education Committee, Northern California Society for Psychoanalytic Psychology
- 1983 to 1996: Employer and Supervisor to psychological assistants working under my license in my private practice
- 1978: Consultant to Childhood and Government Project, University of California, Berkeley
- 1978: Consultant to Child Care Switchboard, San Francisco
- 1976: Berkeley Child Care Advisory Committee
- 1974 to 1977: Designing and conducting staff training workshops on sex role stereotyping in the preschools
- 1973 to 1976: The Children's Project, A Bay Area women's group investigating the status of women and children in the United States.
- 1973 to 1976: Development, coordination, and participation in parent-run preschool program

SELECTED LECTURES AND SPEAKING ENGAGEMENTS:

- 2015: Invited Plenary Speaker, *Different Approaches to Treating gender-nonconforming children*, American Psychological Association Annual Meeting, Toronto, Ontario
- 2015: Speaker, *Gender as Cure*, UCSF Transgender Health Summit, Oakland, CA
- 2015: Grand Rounds: *What's your gender?*, Alta Bates Summit Hospital, Berkeley, CA
- 2014: Grand Rounds: *Treating Gender-Nonconforming Children*, California Pacific Medical Center, San Francisco, CA
- 2014: Invited Speaker, *Controversies in the Treatment of Transgender Children and Adolescents*, American Psychiatric Association Annual Meeting, New York, New York

- 2013: Invited Speaker, *Gender-nonconforming children*, Pediatric Endocrine Society Symposium, Washington, D.C.
- 2013: Invited Speaker, *Found in Translation: Listening and Learning from Gender-nonconforming Children*, William Alanson White Institute, New York, New York
- 2012: Keynote Address: *From Gender Identity Disorder to Gender Creativity*, Gender Creative ids Workshop, Concordia University, Montreal, Quebec
- 2010: Invited Speaker, *A Terrible Thing Happened on the Way to Becoming a Girl*, Division of Psychoanalysis, APA Annual Meeting, Chicago, Illinois
- 2010 Invited Speaker, *Transcending Humpty Dumpty: The Case of an Egg Donor Mother*, International Association for Relational Psychoanalysis and Psychotherapy, San Francisco, CA
- 2010: Invited Speaker, *Outcomes for the Children*, American Psychoanalytic Association Group on Reproductive Technology, The American Psychoanalytic Society's Annual Meeting, New York
- 2010: *Wherefore baby? Searching Beyond Infertility*, Northern California Society for Psychoanalytic Psychology, Scientific Meeting
- 2010: Invited Speaker, *Priuses, Smoothies, and Transys: Transgender Care in the Beginning: The Early Childhood Years*, Northern California Psychiatry Society Annual Meeting, Monterey, California.
- 2009: Invited Speaker, American Psychiatric Association's Annual Meeting, San Francisco: *Gender Made, Gender Nurtured: The Child Shapes the Parent as the Parent Shapes the Child in Families with A Gender Variant Child*, Panel: Symposium: Lesbian, Gay, Transgender Youth: Family Approaches.
- 2009: Division of Psychoanalysis APA Annual Meeting, San Antonio: Panel Presentation: *Boys Will Be Girls, Girls Will Be Boys: Familial Effects on Children's Gender Freedom*, Panel: The Transmission of Sexism and Homophobia within the Family
- 2009: Division of Psychoanalysis APA Spring Meeting, San Antonio: Paper Presentation: *I'm a Prius: A Child Case of a Gender/Ethnic Hybrid*, Panel: The Transmission of Sexism and Homophobia within the Family, Sexualities and Gender Identities Committee Invited Panel
- 2008: Invited Speaker, Seattle Psychoanalytic Society and Institute: *The Stork Didn't Bring You, You Came From a Dish*.
- 2008: Invited Speaker, Harvard Medical School: Treating Contemporary Families: Mental Health Aspects of Alternative Reproduction, Adoption, and Parenting, Boston: *The Psychodynamics of the Contemporary Family: Mothers, Fathers, Donors, Surrogates, and Children*
- 2008: American Psychological Association Annual Convention, Boston: Paper presentation: *One Pill Makes You Boy, One Pill Makes You Girl*, Panel: Doctor, What About Pills? Psychoanalytic Thought and Medication

- 2007: Invited Speaker, St. Louis Psychoanalytic Society, *The Stork Didn't Bring You, You Came From a Dish*
- 2007: Keynote Speaker, ANZICA The Australian and New Zealand Infertility Counsellors Association, Hobart, Tasmania: *When Things Go Pear-Shaped?*
- 2007: Invited Speaker, The Fertility Conference of Australia Annual Conference, Hobart, Tasmania: *Building Strong Donor Families*
- 2006: Invited Speaker, Mothers and Fathers of Invention, IPTAR Conference, New York: *The Stork Didn't Bring Me, I Came from a Dish: Psychological Experiences of Children Conceived through Assisted Reproductive Technology*
- 2001 Invited Speaker, Division 39 Invited Roundtable, APA Annual Meeting, *Growing Up and Growing Old: Continuity and Change in the Wishes and Desires over the Course of Life*
- 2001 Invited Speaker, Division 39 Annual Spring Meeting, Santa Fe: Session on Sex and Gender, *Bending and Blending: A Developmental Perspective*
- 2000: Invited Speaker, Division 39 Annual Spring Meeting, Session on Contemporary Child Psychotherapy: *Who's in the Room and What are We Doing?*
- 1997 to present: Public Speaking, TV and Radio Appearances: Topic: *Spoiling Childhood*
- 1997: Presenter, with Dr. Anne Bernstein at Annual Conference of the Academy of Family Mediators Topic: *When the Parents Aren't the Cleavers and the Children Aren't "The Beaver": Mediation with Non-Traditional Families*
- 1997: Presenter, Round Table Discussion, Northern California Society for Psychoanalytic Psychology Topic: *Whose Oedipus? Development, Dynamics, and Identity in the 1990s.*
- 1996: Presenter, Grand Rounds, Mt. Zion Psychiatric Service Topic: *The New Silent Majority: The Underaggressive Parent*
- 1996: Presenter, Parent Association, Marin Public Schools Topic: *Harried Parents and the Haloed Child*
- 1996: Invited presenter, International Conference: The Costs of Children Sponsored by the city of Bologna, Bologna, Italy, Sept. 27-28. Topic: *The Perils of Parenthood*
- 1995: Faculty, Perspectives on Motherhood: Myths and Realities, Conference sponsored by the San Francisco Institute for Psycho-Analytic Psychotherapy and Psychology, Mills College, and the San Francisco Salon Workshop Leader: *Defining Differences: Parenthood vs. Motherhood*
- 1994: Presentation: *The Perils of Parenting: Psychological Conflicts of Child Rearing in the 1990s*, Sponsored by The Friends of the San Francisco Psychoanalytic Institute
- 1994: Workshop: *Parenting in the 90s: An Impossible Task*, Parenting University, Piedmont Adult Education, Piedmont Unified School District
- 1994: Presentation: *The Things Grandma Never Told Us: Parenting in the 90s*, Sacred Hearts School, San Francisco

- 1994: Grand Rounds: *Sex and Violence in the Nursery: Lessons from the Presidio*, Children's Hospital Medical Center, Oakland
- 1994: Presentation: *Sexual Abuse in a Preschool Setting*, Child and Adolescent Sexual Abuse Resource Center, Department of Public Health, San Francisco
- 1993: Panel member, *Sexualized Transferences: Clinical Considerations and Ethical Implications*, panel presentation at monthly meeting of California Association of Marriage and Family Therapists
- 1993: Workshop: *Disassembling and Reassembling the Family: Psychoanalytic perspectives on Evaluation and Treatment*. Co-led with Toni Heineman, D. M. H., sponsored by the Northern California Society for Psychoanalytic Psychology
- 1992: Grand Rounds: *Sex and Violence in the Nursery*, Alta Bates Medical Center Department of Psychiatry
- 1992: Panel Organizer and Presenter: *Parenting in the 1990s: A Need for a New Psychoanalytic Perspective*, sponsored by the Northern California Society for Psychoanalytic Psychology
- 1992: Discussant, *The lesbian parenting Couple--Cultural and Clinical Issues*, Conference sponsored by The Psychotherapy Institute, Berkeley, California
- 1991: Panel organizer and chair, *Object Relations Theory, Mothers, and children: A Feminist Perspective*, American Psychological Association
- 1991: Paper presentation: *Sex and Violence in the Nursery: Lessons from the Presidio*, Annual Meeting of the American Orthopsychiatric Association
- 1990: Presentation: *Death, Loss, Grief, and Trauma*, Lecture delivered to New Perspectives clinical staff and associates, a school-based mental health delivery agency
- 1990: Guest, Oprah Winfrey Show Topic: *Stressed Out Dads*
- 1989: Community Lecture: *Lessons from the Presidio: Institutional Sexual Abuse*. Sponsored by Alameda Child Abuse Council
- 1989: Community Lecture: *Effects of Removing Children from their Homes*, Sponsored by Bay Area Coalition of Child Abuse Councils
- 1988: Corresponding Faculty, the American Orthopsychiatric Association Annual Meeting
- 1988: Workshop: *Aggression and Anger in Children*, Walden School, Berkeley, California
- 1988: Workshop: *Children's Fears*, Walden School, Berkeley, California
- 1987: Numerous radio and television appearances, local and national Topic: *Men and Women Sharing the Care of their Children*
- 1985: Presentation: *When Women and Men Mother*, Family Forum Lecture Series, College of Marin
- 1984 to 1985: Professional consultation to authors of Redwook and Cosmopolitan magazines in the area of gender and adult relationships

- 1981: Guest Speaker: *Mothers and Fathers, Together and Apart*, University of California Day Care Services, Berkeley
- 1981: Panel speaker: *Motherhood and Feminism*, Conference on Feminism in the 1980s, sponsored by Stanford University
- 1977: Keynote Speaker, Palomar College Topic: *Gender Development in Young Children*
- 1977: Keynote Speaker, California Child Development Association Topic: *Sex Role Stereotyping in Preschools*
- 1974: Colloquium: *Sex Role Socialization in a Preschool Setting*, School of Social Welfare, University of California, Berkeley

PROFESSIONAL AFFILIATIONS:

- American Society for Reproductive Medicine
- International Association for Relational Psychoanalysis and Psychotherapy
- California Psychological Association
- Division of Psychoanalysis (Division 39), American Psychological Association
- Section II (Childhood and Adolescence) of Division 39
- Section III (Women, Gender, and Sexuality) of Division 39
- Section IX, (Psychoanalysis and Social Responsibility) of Division 39 Northern California Society for Psychoanalytic Psychology
- Council on Contemporary Families

PUBLICATIONS AND PAPERS:

- Gender nonconforming youth: current perspectives *Adolescent Health, Medicine and Therapeutics 2017:8 57–67*
- Promoting children’s gender health: a guideline for professionals. *Carlat Report—Child Psychiatry, 7:8: 1-2, Nov/Dec 2016.*
- *The Gender Creative Child*. D. Ehrensaft, New York: The Experiment, 2016.
- *The Gender Affirmative Model: A New Approach to Supporting Gender Non-Conforming and Transgender Children*, Colt Meier, Ph.D. & Diane Ehrensaft, Ph.D.(eds.), American Psychological Association Publications, in process.
- “It Takes a Gender Creative Parent” in A. Lev & A. Gottlieb (eds.), *Families in Transition: Parent Perspective in Raising the Gender Nonconforming or Trans Child* (in press).
- “Baby Making: It Takes an Egg and Sperm and a Rainbow of Genders” in Katie Gentile (ed.), *The Business of Being Made: Producing Liminal Temporalities through ARTS*, New York: Routledge, 2015.
- <http://www.wired.com/2015/07/must-put-end-gender-conversion-therapy-kids> (07/06/2015 Wired)

- Found in Transition: Our Littlest Transgender People. *Contemporary Psychoanalysis*, 50:4: 571-592, 2014.
- Psychological and medical care of gender nonconforming youth. Vance S, Ehrensaft D, Rosenthal S. M. *Pediatrics*, 2014.
- Gender Nonconforming/Gender Expansive and Transgender Children and Teens. Sherer I., Baum J., Ehrensaft D., Rosenthal S.M., *Contemp Pediatrics*, 2014.
- Child and Adolescent Gender Center: A multidisciplinary collaboration to improve the lives of gender nonconforming children and teens. Sherer I, Rosenthal SM, Ehrensaft D., Baum J., *Pediatr Rev* 33:273-275, 2012.
- “Listening and Learning from gender-nonconforming children. *The Psychoanalytic Study of the Child*, Vol. 68, 28-56, 2014 .
- “Family complexes and Oedipal circles: mothers, fathers, babies, donors, and surrogates. In M. Mann (ed.) *Psychoanalytic Aspects of Assisted Reproductive Technology*. London: Karnac, 2014.
- “From gender identity disorder to gender identity creativity: The liberation of gender nonconforming children and youth.” In E.J. Meyer and A.P. Sansfacon (eds.), *Supporting Transgender and Gender Creative Youth*. New York: Peter Lang, 2014.
- “A terrible Thing happened on the way to becoming a girl: transgender trauma, parental loss, and recovery.” In P. Cohen, M. Sossin, & R. Ruth (eds.), *Healing after Parent Loss in Childhood and Adolescence*. Lanham: Rowman & Littlefield, 2014.
- “The Gender affirmative model: what we know and what we aim to learn.” Hidalgo, M.A., Ehrensaft, D. Tishelman, A.C., Clark, L.F., Garofalo, R., Rosenthal, S.M., Spack, N.P., & Olson, J., *Human Development*, 56: 285-290, 2013.
- “Look, Mom, I’m a boy—don’t tell anyone I was a girl.” *Journal of LGBT Youth*, 10:928, 2013.
- “The ‘Birth Other’ in Assisted Reproductive Technology” In M. O’Reilly-Landry (ed.), *A Psychodynamic Understanding of Modern Medicine*. London: Radcliffe, 2012.
- “From gender Identity disorder to gender identity creativity: True gender self child therapy. *Journal of Homosexuality*, 59:3, 337-356, 2012.
- *Gender Made, Gender Born*, The Experiment Press, 2011.
- “Boys will be girls, girls will be boys.” *Psychoanalytic Psychology*, 28: 4, 2011, 528548, 2011.
- “I’m a Prius.” *Journal of Gay and Lesbian Mental Health*, 15:1, 46-57, 2011.
- One Pill Makes You Boy, One Pill Makes You Girl. *International Journal of Applied Psychoanalytic Studies*, 6:1, 12-24, 2009.
- “Just Molly and Me, and “Donor Makes Three” *Journal of Lesbian Studies*, 12: 2-3, 161-178, 2008.
- “When Baby Makes Three or Four or More” *Psychoanalytic Study of The Child*, Vol. 63, 3-23, 2008.

- Guest Editor. Special Issue on Foster Care. *Journal of Infant, Child, and Adolescent Psychotherapy*, 7:2, July 2008.
- “A Child is Being Eaten: Failure, Fear, Fantasy, and Repair in the Lives of Foster Children” *Journal of Infant, Child, and Adolescent Psychotherapy*, 7:2, 100-108, 2008.
- “Raising Girlyboys: A Parent’s Perspective.” *Studies in Gender and Sexuality*, 8(3), 269-302, 2007.
- “The Stork Didn’t Bring Me, I Came From a Dish: Psychological Experiences of Children Conceived through Assisted Reproductive Technology.” *Journal of Infant, Child, and Adolescent Psychotherapy*, 6(2): 124-140, 2007.
- *Mommies, Daddies, Donors, Surrogates: Answering Tough Questions and Building Strong Families*, New York: Guilford Publications, 2005.
- Toni Heineman and Diane Ehrensaft (eds.), *Building A Home Within: Meeting the Emotional Needs of Children and Youth in Foster Care*. Baltimore: Brookes, 2005.
- “Raising Girlyboys: A Parent’s Perspective,” paper presented at the APA Division 39 Spring Meeting, Santa Fe, New Mexico, April 27, 2001.
- “Ode to Anna Freud: Intersubjectivity and Child Psychotherapy,” paper presented at APA Division 39 Spring Meeting, San Francisco, CA, April 6, 2000.
- “Alternatives to the Stork: Fatherhood Fantasies in Donor Insemination Families, *Studies in Gender and Sexuality*, Vol. 1, No. 4, 2000, 371-397.
- “The Kinderdult: The New Child Board to Conflict between Work and Family,” in Rosanna Hertz and Nancy L. Marshall (eds.), *Families and Work: Today’s Realities and Tomorrow’s Possibilities*, Berkeley, CA: University of California Press, 2000, 585-627.
- "Use the Rod/Lose the Child; Spoil the Child/Lose the Parent," paper presented at American Psychological Association Annual Meeting, August 18, 1998.
- "Alternatives to the Stork: Fatherhood Fantasies in Sperm Donor Families," paper presented at APA Division 39 Meetings, Boston, Massachusetts, April 25, 1998.
- *Spoiling Childhood: How Well Meaning Parents Are Giving Children Too Much--But Not What They Need* (Guilford Press, 1997)
- "Child Psychotherapy and Intersubjective Theory: Ode to Anna Freud," *Fort-Da, Journal of the Northern California Society for Psychoanalytic Psychology*. Spring 1998.
- Susan Bernadett-Shapiro, Diane Ehrensaft, & Jerrold Lee Shapiro, "Father Participation in Childcare and the Development of Empathy in Sons: An Empirical Study," *Family Therapy*, Volume 23, No. 2, 1996, 77-93.
- "Bringing in Fathers: The Reconstruction of Mothering," in Jerrold Lee Shapiro, Michael Diamond, & Martin Greenberg (eds.), *Becoming a Father*, New York: Springer, 1995, 43-59.
- Toni V. Heineman & Diane Ehrensaft, "The Children's Psychotherapy Project, *Fort Da, Journal of the Northern California Society for Psychoanalytic Psychology*, Vol. I., No. 2, November 1995.

- "Solomon's Child: Dilemmas in the Joint Custody Family," paper presented at the annual meeting of the American Psychological Association, August, 1993.
- "Your Majesty, the Baby: Normative Narcissism and Confused Parenting," paper delivered at annual meeting of the Division of Psychoanalysis, American Psychological Association, April 15, 1993.
- "Preschool Sexual Abuse: The Aftermath of the Presidio Case," *American Journal of Orthopsychiatry*, 62 (2), April 1992, 234-244.
- "Your Majesty the Baby: Normative Narcissism, Confused Parenting, and the Changing Concept of Childhood, paper delivered at the Northern California Society of Psychoanalytic Psychology Forum, Parenting in the Nineties: The Need for a New Psychoanalytic Perspective, May 9, 1992.
- "Sex and Violence in the Nursery," paper presented at scientific meeting of the Northern California Society for Psychoanalytic Psychology, November 1991.
- "The Reconstruction of Mothering," paper delivered at the annual meeting of the American Psychological Association, August 1991.
- "Sex and Violence in the Nursery: Lessons from the Presidio," paper delivered at the annual meeting of the American Orthopsychiatric Association, April 1991.
- "Feminists Fight (for) Fathers," *Socialist Review*, Vol. 20, No. 4, October - December 1990, 57-80.
- "When Women and Men Mother," in Karen Hansen and Ilene Philipson (eds.), *Women, Class, and the Feminist Imagination*, Philadelphia: Temple University Press, 1990, 399-430.
- "A Parent's Love for a Child: Mother-Father Differences in the Shared Parenting Family," paper presented at the annual meeting of the Division of Psychoanalysis, American Psychological Association, February, 1988.
- "Dual Parenting and the Dual of Intimacy: Mother-Father Dynamics in the Shared Parenting Family," paper delivered at the first annual Children's Hospital Alumni Association Meeting, March 1988.
- "The Experts Who Speak for the Baby Who Can't: What Behooves Them to Prove," paper delivered at the annual meeting of The American Orthopsychiatric Association, March 1988.
- *Parenting Together: Men and Women Sharing the Care of their Children*. New York: The Free Press, 1987.
- "Attachment and Androgyny: The Children of Shared Parenting," paper delivered at The annual meeting of The American Orthopsychiatric Association, March 1987.
- "Gender Issues in Clinical Work: Parenting Issues," paper delivered at the annual meeting of The American Orthopsychiatric Association, March 1987.
- "Dual Parenting and the Duel of Intimacy," in G. Handel (ed.), *The Psychosocial Interior of the Family*, New York: Aldine Press, 1985.

- *"Man, Woman, and Child: the New Shared Parenting Family."* ERIC Publications, Ann Arbor, Michigan, 1985.
- "Androgynous Men and Headstrong women: The Shared Parenting Couple," paper delivered at The Future of Parenting Conference, California State University, Chico, February 1985.
- "Dual Parenting and the Duel of Intimacy," paper delivered at the annual meeting of The American Sociological Association, August 1983.
- "When Women and Men Mother," in Joyce Trebilcot (ed.), *Mothering: Essays in Feminist Theory*, New Jersey: Littlefield, Adams, and Co., 1983.
- Book Review: Myra Liefer, "Psychological Effects of Motherhood," in *Sociology and Social Research*, Vol. 66, No. 2, January 1982.
- "When Women and Men Mother," *Socialist Review*, No. 49, January-February 1980, 3773 (reprinted in *Politics and Power*, London, England).
- "From Sex to Gender: The Hidden Curriculum in the Preschools," 1980.
- Report: Evaluation Report of the Interdisciplinary Program on Day Care and Child Development, 1977-1978, University of California, Berkeley.
- Report: Evaluation of the Interdisciplinary Program on Day Care and Child Development, 1974-1977, University of California, Berkeley.
- "We Followed Them to School One Day: Sex Role Socialization in the Preschool," in Jerome and Evelyn Oremland (eds.). *The Sexual and Gender Development of Young Children*, New York: Ballinger Press, 1977.

Exhibit B

Exhibit B to Ehrensaft Decl.: Bibliography

Bibliography

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Zucker, K. J., Wood, H. & VanderLaan, D. P. (2014). Models of psychopathology in children and adolescents with gender dysphoria. In B.P.C, Kreukels, T.D. Steensma, & A. L. C. de Vries (Eds.), *Gender dysphoria and disorders of sex development: Progress in care and knowledge*. New York: Springer.

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**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through his next friend and mother, ERICA ADAMS KASPER,

No. 3:17-cv-00739-TJC-JBT

Plaintiff,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; TIM FORSON, in his official capacity as Superintendent of Schools for the St. Johns County School District; and LISA KUNZE, in her official capacity as Principal of Allen D. Nease High School,

Defendants.

DECLARATION OF TARA L. BORELLI

I, Tara L. Borelli, pursuant to 28 U.S.C §1746, declare as follows:

1. I am over the age of eighteen (18) and make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. I am an attorney with Lambda Legal Defense and Education Fund, Inc., and counsel for Plaintiff Drew Adams, by and through his next friend and mother, Erica Adams Kasper, in this litigation. I am licensed to practice law in the States of Georgia, California, and Washington, and was admitted *pro hac vice* to practice before this Court. I make this declaration in support of Plaintiff's Motion for Preliminary Injunction.

3. Attached as Exhibit A is a true and correct copy of *Sommerville v. Hobby Lobby Stores*, Charge Nos. 2011CN2993/2011CP2994 (Ill. Hum. Rts. Comm'n May 15, 2015).

4. Attached as Exhibit B is a true and correct copy of the *Executive Summary of the Report of the 2015 U.S. Transgender Survey* (2016), available at <http://www.transequality.org/sites/default/files/docs/usts/Executive%20Summary%20-%20FINAL%201.6.17.pdf>.

5. Attached as Exhibit C is a true and correct copy of American Psychiatric Association, *Position Statement on Discrimination Against Transgender and Gender Variant Individuals* (2012), available at <https://www.psychiatry.org/File%20Library/About-APA/Organization-Documents-Policies/Policies/Position-2012-Transgender-Gender-Variant-Discrimination.pdf>.

6. Attached as Exhibit D is a true and correct excerpt of Human Rights Campaign Foundation, *Corporate Equality Index 2017* (2016), available at http://assets.hrc.org/files/assets/resources/CEI-2017-Final.pdf?_ga=2.256740431.550091957.1500347001-1453885143.1491591879.

7. Attached as Exhibit E is a true and correct excerpt of Substance Abuse and Mental Health Services Administration, *Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth* (2015), available at <https://store.samhsa.gov/shin/content//SMA15-4928/SMA15-4928.pdf>.

8. Attached as Exhibit F is a true and correct copy of The Williams Institute, *How Many Adults Identify As Transgender In The U.S.?* (June 2016), available at

<https://williamsinstitute.law.ucla.edu/wp-content/uploads/How-Many-Adults-Identify-as-Transgender-in-the-United-States.pdf>.

9. Attached as Exhibit G is a true and correct copy of Human Rights Campaign Foundation, *Anti-transgender Legislation Spreads Nationwide, Bills Targeting Transgender Children Surge* (Feb. 19, 2016), available at http://assets.hrc.org/files/assets/resources/HRC-Anti-Trans-Issue-Brief-FINAL-REV2.pdf?_ga=2.46182243.550091957.1500347001-1453885143.1491591879.

10. Attached as Exhibit H is a true and correct copy of Kyra Gurney, MIAMI HERALD, *Miami-Dade and Broward schools to keep protections for transgender students* (Feb. 23, 2017), available at <http://www.miamiherald.com/news/local/education/article134593999.html>.

11. Attached as Exhibit I is a true and correct copy of *Dep't of Fair Emp't & Hous. v. Am. Pac. Corp.*, No. 34-2013-00151153, Order.

12. Attached as Exhibit J is a true and correct copy of search results from USAspending.gov, reflecting federal financial assistance provided by the U.S. Department of Education to the St. Johns County School Board for fiscal years 2015, 2016, and 2017, available at www.usaspending.gov/Pages/AdvancedSearch.aspx?sub=y&ST=C,G,L,O&FY=2017,2016,2015&A=0&SS=USA&POS=FL&AA=9100&k=School+Board+of+St+Johns+County&SB=AD&SD=DESC.

13. Attached as Exhibit K is a true and correct excerpt of Broward County Public Schools LGBTQ Critical Support Guide, available at <http://www.browardprevention.org/wp-content/uploads/2013/10/Transgender-Procedures-Safety-and-Resiliency.pdf>.

14. Attached as Exhibit L is a true and correct copy of an email dated May 16, 2016 from Kathleen L. Rodgers, Ph.D., Divisional Director for Intervention, Equity and Support Services at Leon County Schools, *available at* <http://tallahasseereports.com/wp-content/uploads/2016/05/LeonSchool1.pdf>.

15. Attached as Exhibit M is a true and correct copy of U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Examples of Policies and Emerging Practices for Supporting Transgender Students* (2016), *available at* <https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 19, 2017.



Tara L. Borelli

INDEX OF EXHIBITS TO BORELLI DECLARATION

Letter	Title
A	<i>Sommerville v. Hobby Lobby Stores</i> , Charge Nos. 2011CN2993/2011CP2994 (Ill. Hum. Rts. Comm'n May 15, 2015)
B	<i>Executive Summary of the Report of the 2015 U.S. Transgender Survey</i> (2016)
C	American Psychiatric Association, <i>Position Statement on Discrimination Against Transgender and Gender Variant Individuals</i> (2012)
D	Excerpt of Human Rights Campaign Foundation, <i>Corporate Equality Index 2017</i> (2016)
E	Excerpt of Substance Abuse and Mental Health Services Administration, <i>Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth</i> (2015)
F	The Williams Institute, <i>How Many Adults Identify As Transgender In The U.S.?</i> (June 2016)
G	Human Rights Campaign Foundation, <i>Anti-transgender Legislation Spreads Nationwide, Bills Targeting Transgender Children Surge</i> (Feb. 19, 2016)
H	Kyra Gurney, MIAMI HERALD, <i>Miami-Dade and Broward schools to keep protections for transgender students</i> (Feb. 23, 2017)
I	<i>Dep't of Fair Emp't & Hous. v. Am. Pac. Corp.</i> , No. 34-2013-00151153, Order
J	USAspending.gov search results for U.S. Department of Education federal financial assistance to the St. Johns County School Board
K	Excerpt of Broward County Public Schools LGBTQ Critical Support Guide
L	Email dated May 16, 2016 from Kathleen L. Rodgers, Ph.D. at Leon County Schools
M	U.S. Department of Education, <i>Examples of Policies and Emerging Practices for Supporting Transgender Students</i> (2016)

Exhibit A

**Exhibit A to Borelli Decl.: *Sommerville v. Hobby Lobby Stores*,
Charge Nos. 2011CN2993/2011CP2994 (Ill. Hum.
Rts. Comm'n May 15, 2015)**

3. Complainant was present on Respondent's premises both as an employee and as a customer. The general public and employees utilize the store's restrooms, which are designated by gender.

4. Since 2007, Complainant implemented a procedure toward transitioning from male to female. In 2009, Complainant had medical treatment from health care providers and other services at Howard Brown Health Center, which resulted in female secondary sex characteristics, including breasts and absence of facial hair.

5. Complainant is a transsexual who presents and identifies as female.

6. In February 2010, Complainant removed the male name from her employee nametag, without objection from Respondent, as not to confuse the customers with the noticeable physical manifestations of the transition.

7. On July 9, 2010, Complainant formally informed Respondent through Edward Slavin, store manager, of her male to female transition and her intent to use the women's restroom.

8. Respondent changed Complainant's personnel records and benefits information to identify her as female. Complainant appears at work in feminine dress and make-up. Employees and employers refer to Complainant by her chosen female name.

9. However, Respondent did not consent to Complainant's use of the store's designated women's restroom, until Complainant produced legal authority mandating its use to her.

10. On July 12, 2010, Complainant had her name legally changed to "Meggan Renee Sommerville," by order of the Circuit Court of Kendall County, Illinois.

11. On July 29, 2010, the State of Illinois issued its driver's license identifying Complainant as female.

12. In July 2010, Complainant obtained a new social security card with her female name.

13. In July 2010, Complainant produced to Anna Lee Miller, Respondent's Human Resources Specialist, a copy of the Illinois Human Rights Act, related statutes from Iowa and Colorado, a copy of her revised Illinois driver's license, her social security card, and her court ordered name change. The material submitted also included a letter dated July 21, 2015, from Kristin Koglovitz, Clinic Director of Howard Brown Health Center, who identified and verified Complainant as a female transgender individual, described the transition process, and advocated Complainant's use of the women's restroom at Respondent's store.

14. On July 30, 2010, Miller instructed Complainant to communicate with Respondent's legal office and, despite the information submitted, she was not permitted to use the women's restroom.

15. Complainant used the women's facilities at nearby businesses.

16. On February 23, 2011, Complainant was given a written warning for entering Respondent's women's restroom.

17. During the course of litigation, Respondent changed its precondition for the use of the women's facilities from producing legal authority to surgery. In 2014, Respondent modified its condition option to changing her birth certificate.

18. In December 2013 or January 2014, Respondent had built a "unisex" restroom for Complainant's use.

19. As of this Recommended Liability Determination, Complainant is still not permitted to use Respondent's women's restroom facilities as an employee or customer.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties and the subject matter.
2. Complainant established direct evidence of sexual related identity discrimination by Respondent preventing Complainant's access and use of the women's restroom at Respondent's store.

DISCUSSION

SUMMARY DECISION STANDARD

Under section 8-106.1 of the Human Rights Act, either party to a complaint may move for summary decision. 775 ILCS 5/8-106.1. A summary decision is analogous to a summary judgment in the Circuit Courts. Cano v. Village of Dolton, 250 Ill.App.3d 130, 138, 620 N.E.2d 1200, 1206 (1st Dist. 1993).

A motion for summary decision should be granted when there is no genuine issue of material fact and the moving party is entitled to a recommended order in its favor as a matter of law. Fitzpatrick v. Human Rights Comm'n, 267 Ill.App.3d 386, 391, 642 N.E.2d 486, 490 (4th Dist. 1994). All pleadings, affidavits, interrogatories, and admissions must be strictly construed against the movant and liberally construed in favor of the non-moving party. Kolakowski v. Voris, 76 Ill.App.3d 453, 456-57, 395 N.E.2d 6, 9 (1st Dist. 1979). Although not required to prove her case as if at a hearing, the non-moving party must provide some factual basis for denying the motion. Birck v. City of Quincy, 241 Ill.App.3d 119, 121, 608 N.E.2d 920, 922 (4th Dist. 1993). Only facts supported by evidence, and not mere conclusions of law, should be considered. Chevrie v. Gruesen, 208 Ill.App.3d 881, 883-84, 567 N.E.2d 629, 630-31 (2d Dist. 1991). If a respondent supplies sworn facts that, if uncontroverted, warrant judgment in its favor as a matter of law, a complainant may not rest on her pleadings to create a genuine issue of material fact. Fitzpatrick, 267 Ill.App.3d at 392, 642 N.E.2d at 490. Where the party's affidavits stand uncontroverted, the facts contained therein must be accepted as true and, therefore, a party's failure to file counter-affidavits in response is frequently fatal to her case. Rotzoll v. Overhead Door Corp., 289 Ill.App.3d 410, 418, 681 N.E.2d 156, 161 (4th Dist. 1997). Inasmuch as summary decision is a drastic means for resolving litigation, the movant's right to a summary decision must be clear and free from doubt. Purtill v. Hess, 111 Ill.2d 229, 240 (1986).

Summary of Issues

Complainant is a transsexual, who presents and identifies as female, was and is denied access to Respondent's women's restroom at its store, both in her capacity as an employee and a customer. Complainant alleges such disparate treatment is contrary to the Act in terms and conditions of Complainant's employment and a denial of the full and equal enjoyment of a public accommodation.

Respondent contends the Act does not require it as an employer or as a public accommodation to permit Complainant, a transgender person, to use its store's restroom other than the one designated for her birth gender, male, or until she undergoes anatomical surgery.

Act's Interpretation

"The Illinois Human Rights Act is remedial legislation that must be construed liberally to effectuate its purpose." Nuraoka v. Illinois Human Rights Commission, 252 Ill.App.3d 1039, 625 N.E.2d 251 (1st Dist. 1993) citing, Nielsen Co. v. Public Building Commission of Chicago, 81 Ill.2d 290, 410 N.E.2d 40 (1980).

A primary rule of statutory construction is to give effect to the words selected by the General Assembly and its intent. "No word or paragraph should be interpreted so as to be rendered meaningless." Boaden v. Illinois Department of Law Enforcement, 171 Ill.2d 230, 664 N.E.2d 61 (1996); Sangamon County Sheriff's Department v. Illinois Human Rights Commission et al., 233 Ill.2d 125, 908 N.E.2d 39, (2009), citing Wade v. City of North Chicago Police Pension Board, 226 Ill.2d 485, 877 N.E.2d 1011 (2008). The best indication of the legislature's intent is the language of the statute, which must be given its plain and ordinary meaning. Id., citing Cinkus v. Village of Stickney Municipal Officers Electoral Board, 228 Ill.2d 200, 886 N.E.2d 1011 (2008).

Discrimination Defined

Section 1-102(A) of the Act provides that it is the "public policy" of this State to "secure for all individuals within Illinois the freedom from discrimination against any individual because

of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, *sexual orientation*, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.” (Emphasis added.) ¹

Section 1-103 (O-1) of the Act defines “sexual orientation,” in pertinent part, as “gender related identity, whether or not traditionally associated with the person’s designated sex at birth.”

Section 2-102(A) of the Act provides it is a “civil rights violation” for “any employer ...to segregate...discipline ...terms, privileges or conditions of employment on the basis of unlawful discrimination ...”

Section 5-102 (A) of the Act provides it is a “civil rights violation” to “deny or refuse to another the full and equal enjoyment of the facilities... and services of any public place of accommodation.”

Statutory Interpretation

Article 2, Employment

Respondent’s first statutory argument is that the Act does not address whether a transgender employee has the right to use a restroom other than the restroom associated with the person’s sex at birth, “thus, leaving the matter to the employers’ discretion.” ²

The opposite is correct; Article 2, employment, is meant to be broad with noted exceptions, which does not exclude the use of restrooms by transsexuals.

Respondent has not revealed any pertinent limitations of Section 2-102(A), Civil Rights Violations relating to Section 1-102(A), Freedom from Unlawful Discrimination or Section 1-103 (O-1), Sexual Orientation, in which sexual related identity is part. As read, sexual related

¹ All of the statutory classes were purposely cited, as each are equally protected and enforced under the Act.

² Respondent cites an Article 5, Public Accommodation, clauses, Section 5/5-102(A) and 5/5-103(B) for its Article 2, Employment, argument; this statutory authority is misplaced.

identity is protected against all statutory employment civil rights violations, “whether or not traditionally associated with the person’s designated sex at birth.” *Id.*

There is no special treatment based on sexual orientation here, only the basic treatment of any employee. Section 1-101.1 of the Act. The basic right to use a restroom, as a term and condition of employment, is discussed below.

Significantly, Respondent failed to note that if the legislature wished to limit Article 2, it would have done so under Section 2-104, *Exemptions*. (Emphasis added.) It did not.

Therefore, an employee’s rights under sexual orientation, including sexual related identity, is broadly interpreted and protected against all listed civil rights violations. *Id.*

Article 5 – Public Accommodations

Complainant averred that she was both an employee and customer of Respondent, and that the women’s restroom was available to the general public. Respondent does not counter Complainants allegations, and they are accepted as true. Rotzoll, *supra*.

The interpretation of Article Five is limited to the facts of this case, and the issue before me.

Article 1, General Provisions and Definitions, relate to the entire Act. Thus, Section 1-102 (A), Freedom from Unlawful Discrimination; Section 1-103 (D), Civil Rights Violations; Section 1-103 (O), Sex; and Section 1-103 (O-1) Sexual Orientation, are pertinent to Article 5, Public Accommodation.

It has been established that Respondent is a statutory public accommodation and that it cannot “deny or refuse to another (customer) the full and equal enjoyment of the facilities, goods and services of any public place of accommodation.” Section 5-102 (A) Enjoyment of Facilities, Goods and Services.

However, Section 5-103 (B), Facilities Distinctly Private, sets out an exemption to an Article 5 civil rights violation. “Nothing in this Article shall apply to: Any facility, as to discrimination based on sex, which is distinctly private in nature such as restrooms, shower

rooms, bath houses, health clubs and other similar facilities for which the Department, in its rules and regulations, may grant exemption based on bona fide consideration of public policy.”

Respondent contends that being anatomically correct makes a female, as that was and is Respondent's prerequisite before Complainant could be able to use the women's restroom. However, absence of male genitalia does not make a female, as that could occur by illness or injury.

Moreover, enforcement of Respondent's approach is inherently problematic. Broad customer screening could prove difficult, whether by merely asking the customer if they were transsexual or using a version of “stop and frisk” prior to the facility's use.

Section 1-102(O) reads that “Sex means the status of being male or female.” However, the definition of sex must incorporate Section 1-103 (O-1), “gender related identity, whether or not traditionally associated with the person's designated sex at birth.” Thus, it is not relevant what the person's sex was at the time of birth. Sex relates to a person's sexual related identity, which is discussed below.

The same reasoning is used to dismiss the third condition of Respondent's prior to Complainant's use of its women's facility. Respondent required Complainant to change her birth certificate to reflect her current sexual identity. Complainant's birth gender is academic and is not relevant here.

Discrimination Standards – Sexual Identity

It is not necessary to discuss *prima facie* elements, as this is a rare case where there is no disagreement as to Respondent's action.

Direct Method of Proof

There are two methods for proving discrimination, direct and indirect. Sola v. Illinois Human Rights Commission, 316 Ill.App.3d 528, 736 N.E.2d 1150, (1st Dist. 2000). Under the direct approach, Complainant must present sufficient evidence, direct or circumstantial, without reliance upon inference or presumption, to allow a trier of fact to decide

that her sexual related identity was a motivating factor in Respondent's alleged adverse act. *Id.* A review of what an employer did and/or said regarding a particular employment decision is required. Where there is direct evidence of discrimination, it is unnecessary to use the three-part analysis. Catherine Littlejohn and Wal-Mart Stores, IHRC, ALS No. 9929, November 4, 2009.

Direct evidence is unique as "it essentially requires an admission by the decision maker that his actions were based on the prohibited animus...." Davy Cady and Northeastern Illinois University, IHRC, ALS No. 10589, February 1, 2005, quoting Haywood v. Lucent Tech, Inc., 169 F. Supp.2d 890, 907 (N.D. Illinois 2001), citing Radue v. Kimberly Clark Corp., 219 F. 3d 612, 616 (7th Cir. 2000). (A notice for a teaching position required that candidates "need to be minority."); Melvin Osborne and Robert Boudreaux and Steve's Old Time Tap, IHRC, ALS No. S-11225, April 25, 2001. (The reason as to why complainants were directed to leave the tavern was based on race as they were told, "I own this place and you get your Black asses out of here.")

Analysis

The evidence in this case establishes that Respondent's decision forbidding Complainant access and use of its women's restroom violated the Act, under the direct method of proof. Respondent's motive for its decision was and is Complainant's sexual related identity, female, a decision that should have been made irrespective of her designated sex at birth, male. Respondent substantially relied on a prohibited factor in its decision. Lalvani v. Illinois Human Rights Commission, 324 Ill.App.3d 774, 755 N.E.2d 51 (1st Dist. 2001).

"There is no surer way to find out what the parties meant, than to see what they have done." Eric Sprinkle and Rivers Edge Complex, Inc., IHRC, ALS No. 10565, August 7, 2000, quoting Brooklyn Life Insurance Co. v. Dutcher, 95 U.S. 269, 273 (1877). In this case, the facts are straightforward.

It has been established that Complainant is a transgender woman, acknowledged as such by Respondent in both words and acts. By July 2010, Complainant had been an employee of Respondent for twelve years, and her transition from male to female was advanced and apparent, as she had physical characteristics in conformity with her gender identity.

In July 2010, after Complainant's discussion with the store's manager and as a result of it, Respondent changed Complainant's personnel records and benefits information to reflect her transition to female. Employees and employers referred to Complainant as "Meggan," her chosen female name, and she performed her assigned duties in feminine dress and makeup.

However, Complainant's request for access to Respondent's women's restroom in its store was denied. Instead, Respondent created its first precondition. It demanded from Complainant presentment of legal authority that would mandate it to allow a transgender person the use of a store's designated restroom different from that of the person's birth gender.

In response, Complainant submitted a copy of her court ordered name change, along with a driver's license and a social security card reflecting that change. Moreover, a written medical explanation and verification of her transition from Howard Brown Health Center was submitted, with its recommendation that Complainant be permitted to use Respondent's facility. Finally, a copy of the Illinois Human Rights Act was presented, along with other states' laws on the topic of sexual identity.

Respondent merely directed Complainant to its legal department. To this day, Complainant is being forced to use the restrooms available in other unrelated stores or, since January 2014, a "unisex" restroom. The prohibition is enforced by threat of employment discipline. For example, in February 2011, Complainant received a written warning because of her attempt to use the women's facility.

Other Arguments

The totality of this order addresses the legal authority that mandates Respondent to grant Complainant access to its women's restroom both as employee and customer, but other arguments of significance also were raised.

Respondent added anatomical surgery to the list of preconditions it demanded of Complainant. However, nothing in the Act makes any surgical procedure a prerequisite for its protection of sexual related identity. Therefore, Respondent's unilateral surgical requirement is untenable.

Respondent also raised a concern about a woman employee expressing "discomfort" with Complainant being present in the women's restroom. However, a co-worker's discomfort cannot justify discriminatory terms and conditions of employment. The prejudices of co-workers or customers are part of what the Act was meant to prevent. Raintree Health Care Center v. Illinois Human Rights Commission, 173 Ill.2d 469, 672 N.E.2d 1136, (1996) and Eric Sprinkle and Rivers Edge Complex, Inc., IHRC, ALS No.10565, August 7, 2000, (HIV medical condition and loss of customers); Jack Haynes and City of Springfield, Office of Public Utilities, IHRC, ALS No. 7304 (S), April 3, 1998 (unwillingness to be supervised by a black man).

In 2014, Respondent built a "unisex" single use restroom for Complainant, which segregates only her because of her gender related identity, and perpetuates different treatment, contrary to the Act.³

Respondent's prohibition and/or segregation of Complainant to a "unisex" restroom is an adverse act and subjects her to different terms and conditions than similarly situated non-transgender employees. Access to restrooms, if available, is a major and basic condition of employment. DeClue v. Central Illinois Light Company, 223 F.3d 434 (7th Cir. 2000) and OSHA, Interpretation of 20 C.F.R. 1910.141 Section (c)(1)(i): Toilet Facilities (April 4, 1998)).

³ However, the "unisex" restroom may resolve any concern by those who are allegedly uncomfortable by Complainant, by giving them the option of using it.

Therefore, I find that Respondent's decision to restrict Complainant's access to the women's restroom on account of her gender related identity violated the Act as it concerns both employment and public accommodation. I further find that the record contains direct evidence related to both counts of the complaints that the decision was based on the gender related identity of the Complainant.

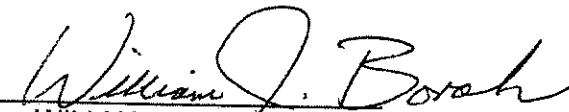
RECOMMENDATION

Based upon the foregoing, there are no genuine issues of material fact and Complainant is entitled to a recommended order in her favor as a matter of law.

IT IS HEREBY ORDERED:

1. Respondent's motion for summary decision is denied;
2. Complainant's motion for summary decision is granted;
3. A status hearing is set for June 25, 2015, at 10:00 a.m. when a damages hearing date will be set.

HUMAN RIGHTS COMMISSION

BY: 
WILLIAM J. BORAH
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: May 15, 2015

ALS NO(S): 13-0060 (C)
CHARGE NO(S): N/A
EEOC NO (S): 2011CN2993,2011CP2994
CASE NAME: SOMMERVILLE VS. HOBBY
LOBBY STORES

MEMORANDUM OF SERVICE

The undersigned certified that on **May 19, 2015** she **re-served** a copy of the attached **RECOMMENDED LIABILITY DETERMINTAION** on each person named below by depositing the same in the U.S. mail box at **100 W. Randolph St., Suite 5-100, Chicago, Illinois**, properly posted for **FIRST CLASS MAIL**, addressed as follows:

Sonya Rosenberg
Gray I. Mateo-Harris
Neal, Gerber & Eisenberg LLP
2 North LaSalle St., Suite 1700
Chicago, IL. 60602

Jacob Meister
Katherine Eder
Jacob Meister & Associates
2129 N. Western Avenue
Chicago, IL. 60647

INTER-OFFICE MAIL TO:

Tomas Ramirez
Staff Attorney
Illinois Department of Human Rights
100 W. Randolph St., Suite 10-100
Chicago, IL. 60601

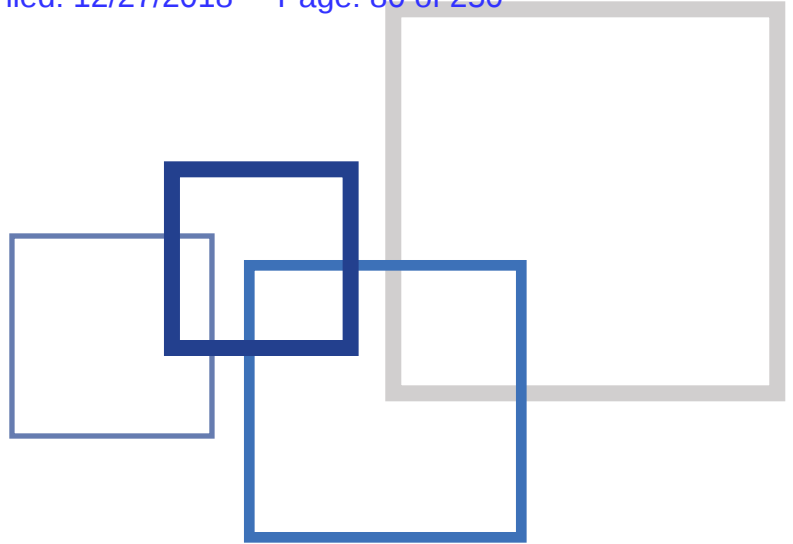
ALJ:



Shantelle Baker
Signature

Exhibit B

Exhibit B to Borelli Decl.: *Executive Summary of the Report of the 2015 U.S. Transgender Survey (2016)*



THE REPORT OF THE

2015

U.S.

TRANSGENDER

SURVEY

EXECUTIVE SUMMARY

December 2016

USTS Executive Summary

The 2015 U.S. Transgender Survey (USTS) is the largest survey examining the experiences of transgender people in the United States, with 27,715 respondents from all fifty states, the District of Columbia, American Samoa, Guam, Puerto Rico, and U.S. military bases overseas. Conducted in the summer of 2015 by the National Center for Transgender Equality, the USTS was an anonymous, online survey for transgender adults (18 and older) in the United States, available in English and Spanish. The USTS serves as a follow-up to the groundbreaking 2008–09 National Transgender Discrimination Survey (NTDS), which helped to shift how the public and policymakers view the lives of transgender people and the challenges they face. The report of the 2015 USTS provides a detailed look at the experiences of transgender people across a wide range of categories, such as education, employment, family life, health, housing, and interactions with the criminal justice system.

The findings reveal disturbing patterns of mistreatment and discrimination and startling disparities between transgender people in the survey and the U.S. population when it comes to the most basic elements of life, such as finding a job, having a place to live, accessing medical care, and enjoying the support of family and community. Survey respondents also experienced harassment and violence at alarmingly high rates. Several themes emerge from the thousands of data points presented in the full survey report.

Pervasive Mistreatment and Violence

Respondents reported high levels of mistreatment, harassment, and violence in every aspect of life. One in ten (10%) of those who were out to their immediate family reported that a family member was violent towards them because they were transgender, and 8% were kicked out of the house because they were transgender.

The majority of respondents who were out or perceived as transgender while in school (K–12) experienced some form of mistreatment, including being verbally harassed (54%), physically attacked (24%), and sexually assaulted (13%) because they were transgender. Further, 17% experienced such severe mistreatment that they left a school as a result.

In the year prior to completing the survey, 30% of respondents who had a job reported being fired, denied a promotion, or experiencing some other form of mistreatment in the workplace due to their gender identity or expression, such as being verbally harassed or physically or sexually assaulted at work.

In the year prior to completing the survey, 46% of respondents were verbally harassed and 9% were physically attacked because of being transgender. During that same time period, 10% of respondents were sexually assaulted, and nearly half (47%) were sexually assaulted at some point in their lifetime.

Severe Economic Hardship and Instability

The findings show large economic disparities between transgender people in the survey and the U.S. population. Nearly one-third (29%) of respondents were living in poverty, compared to 14% in the U.S. population. A major contributor to the high rate of poverty is likely respondents' 15% unemployment rate—three times higher than the unemployment rate in the U.S. population at the time of the survey (5%).

Respondents were also far less likely to own a home, with only 16% of respondents reporting homeownership, compared to 63% of the U.S. population. Even more concerning, nearly one-third (30%) of respondents have experienced homelessness at some point in their lifetime, and 12% reported experiencing homelessness in the year prior to completing the survey because they were transgender.

Harmful Effects on Physical and Mental Health

The findings paint a troubling picture of the impact of stigma and discrimination on the health of many transgender people. A staggering 39% of respondents experienced serious psychological distress in the month prior to completing the survey, compared with only 5% of the U.S. population. Among the starkest findings is that 40% of respondents have attempted suicide in their lifetime—nearly nine times the attempted suicide rate in the U.S. population (4.6%).

Respondents also encountered high levels of mistreatment when seeking health care. In the year prior to completing the survey, one-third (33%) of those who saw a health care provider had at least one negative experience related to being transgender, such as being verbally harassed or refused treatment because of their gender identity. Additionally, nearly one-quarter (23%) of respondents reported that they did not seek the health care they needed in the year prior to completing the survey due to fear of being mistreated as a transgender person, and 33% did not go to a health care provider when needed because they could not afford it.

The Compounding Impact of Other Forms of Discrimination

When respondents' experiences are examined by race and ethnicity, a clear and disturbing pattern is revealed: transgender people of color experience deeper and broader patterns of discrimination than white respondents and the U.S. population. While respondents in the USTS sample overall were more than twice as likely as the U.S. population to be living in poverty, people of color, including Latino/a (43%), American Indian (41%), multiracial (40%), and Black (38%) respondents, were up to three times as likely as the U.S. population (14%) to be living in poverty. The unemployment rate among transgender people of color (20%) was four times higher than the U.S. unemployment rate (5%). People of color also experienced greater health disparities. While 1.4% of all respondents were living with HIV—nearly five times the rate in the U.S. population (0.3%)—the rate among Black respondents (6.7%) was substantially higher, and the rate for Black transgender women was a staggering 19%.

Undocumented respondents were also more likely to face severe economic hardship and violence than other respondents. In the year prior to completing the survey, nearly one-quarter (24%) of undocumented respondents were physically attacked. Additionally, one-half (50%) of undocumented respondents have experienced homelessness in their lifetime, and 68% have faced intimate partner violence.

Respondents with disabilities also faced higher rates of economic instability and mistreatment. Nearly one-quarter (24%) were unemployed, and 45% were living in poverty. Transgender people with disabilities were more likely to be currently experiencing serious psychological distress (59%) and more likely to have attempted suicide in their lifetime (54%). They also reported higher rates of mistreatment by health care providers (42%).

Increased Visibility and Growing Acceptance

Despite the undeniable hardships faced by transgender people, respondents' experiences also show some of the positive impacts of growing visibility and acceptance of transgender people in the United States.

One such indication is that an unprecedented number of transgender people—nearly 28,000—completed the survey, more than four times the number of respondents in the 2008–09 NTDS. This number of transgender people who elevated their voices reflects the historic growth in visibility that the transgender community has seen in recent years. Additionally, this growing visibility has lifted up not only the voices of transgender men and women, but also people who are non-binary, which is a term that is often used to describe

people whose gender identity is not exclusively male or female, including those who identify as no gender, as a gender other than male or female, or as more than one gender. With non-binary people making up over one-third of the sample, the need for advocacy that is inclusive of all identities in the transgender community is clearer than ever.

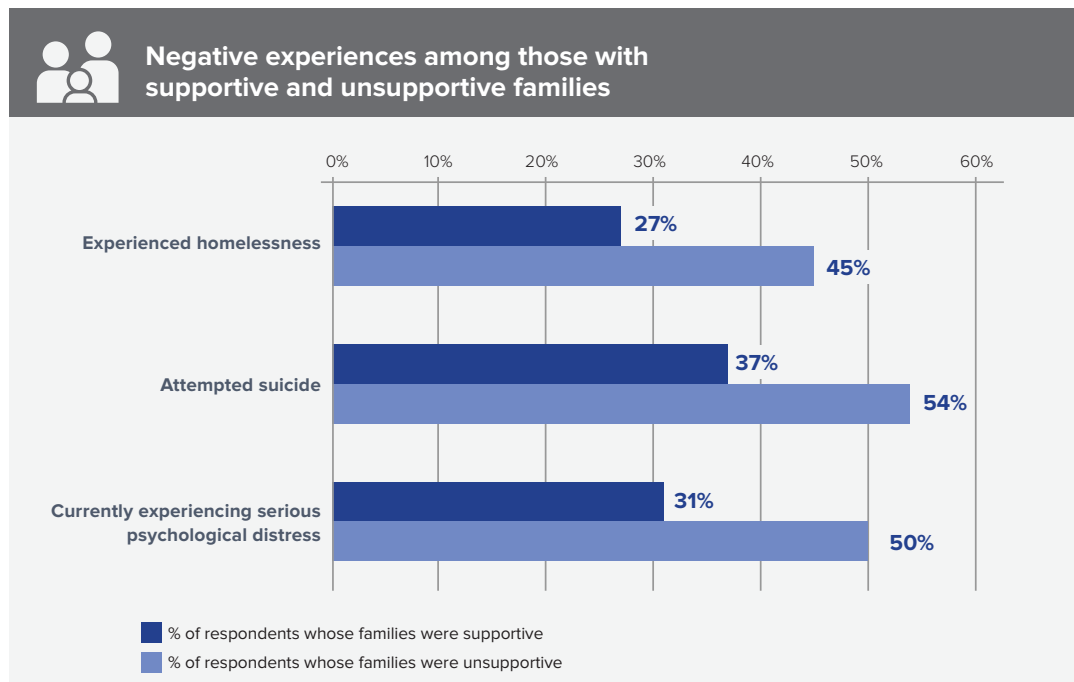
Respondents' experiences also suggest growing acceptance by family members, colleagues, classmates, and other people in their lives. More than half (60%) of respondents who were out to their immediate family reported that their family was supportive of them as a transgender person. More than two-thirds (68%) of those who were out to their coworkers reported that their coworkers were supportive. Of students who were out to their classmates, more than half (56%) reported that their classmates supported them as a transgender person.

Overall, the report provides evidence of hardships and barriers faced by transgender people on a day-to-day basis. It portrays the challenges that transgender people must overcome and the complex systems that they are often forced to navigate in multiple areas of their lives in order to survive and thrive. Given this evidence, governmental and private institutions throughout the United States should address these disparities and ensure that transgender people are able to live fulfilling lives in an inclusive society. This includes eliminating barriers to quality, affordable health care, putting an end to discrimination in schools, the workplace, and other areas of public life, and creating systems of support at the municipal, state, and federal levels that meet the needs of transgender people and reduce the hardships they face. As the national conversation about transgender people continues to evolve, public education efforts to improve understanding and acceptance of transgender people are crucial. The rates of suicide attempts, poverty, unemployment, and violence must serve as an immediate call to action, and their reduction must be a priority. Despite policy improvements over the last several years, it is clear that there is still much work ahead to ensure that transgender people can live without fear of discrimination and violence.

Overview of Key Findings

Family Life and Faith Communities

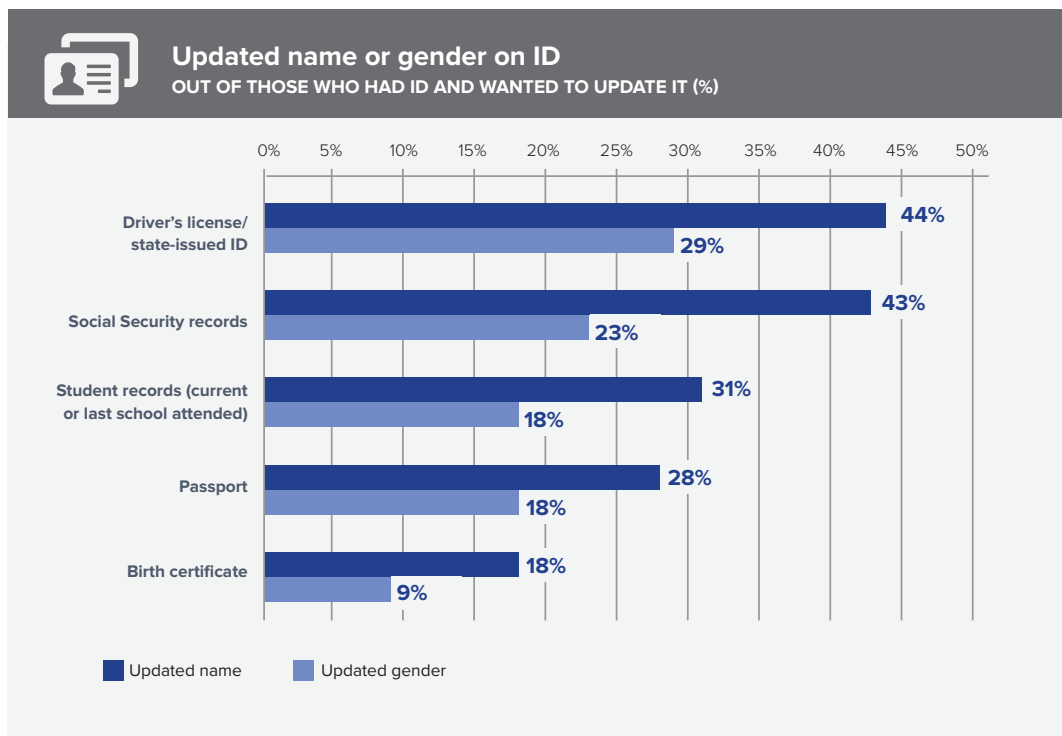
- **A majority of respondents (60%) who were out to the immediate family they grew up with said that their family was generally supportive of their transgender identity,** while 18% said that their family was unsupportive, and 22% said that their family was neither supportive nor unsupportive.
- **Those who said that their immediate families were supportive were less likely to report a variety of negative experiences related to economic stability and health,** such as experiencing homelessness, attempting suicide, or experiencing serious psychological distress.



- **One in ten (10%)** respondents who were out to their immediate family reported that a **family member was violent towards them** because they were transgender.
- **One in twelve (8%)** respondents who were out to their immediate family **were kicked out of the house**, and one in ten (10%) ran away from home.
- **Nineteen percent (19%)** of respondents who had ever been part of a spiritual or religious community **left due to rejection**. Forty-two percent (42%) of those who left later found a welcoming spiritual or religious community.

Identity Documents

- Only 11% of respondents reported that *all* of their IDs had the name and gender they preferred, while more than two-thirds (68%) reported that *none* of their IDs had the name and gender they preferred.



- The cost of changing ID documents was one of the main barriers respondents faced, with 35% of those who have not changed their legal name and 32% of those who have not updated the gender on their IDs reporting that it was because they could not afford it.
- Nearly **one-third (32%)** of respondents **who have shown an ID with a name or gender that did not match their gender presentation were verbally harassed, denied benefits or service, asked to leave, or assaulted.**

Health Insurance and Health Care

- **One in four (25%) respondents experienced a problem in the past year with their insurance related to being transgender**, such as being denied coverage for care related to gender transition or being denied coverage for routine care because they were transgender.
- **More than half (55%) of those who sought coverage for transition-related surgery in the past year were denied**, and 25% of those who sought coverage for hormones in the past year were denied.
- **One-third (33%) of those who saw a health care provider in the past year reported having at least one negative experience related to being transgender**, with higher rates for people of color and people with disabilities. This included being refused treatment, verbally harassed, or physically or sexually assaulted, or having to teach the provider about transgender people in order to get appropriate care.
- In the past year, **23% of respondents did not see a doctor when they needed to because of fear of being mistreated as a transgender person**, and 33% did not see a doctor when needed because they could not afford it.

Psychological Distress and Attempted Suicide

- **Thirty-nine percent (39%) of respondents experienced serious psychological distress** in the month before completing the survey (based on the Kessler 6 Psychological Distress Scale), compared with only 5% of the U.S. population.
- **Forty percent (40%) have attempted suicide in their lifetime**, nearly nine times the rate in the U.S. population (4.6%).
- **Seven percent (7%) attempted suicide in the past year**—nearly twelve times the rate in the U.S. population (0.6%).

HIV

- Respondents were **living with HIV (1.4%) at nearly five times the rate in the U.S. population (0.3%)**.
- **HIV rates were higher among transgender women (3.4%)**, especially transgender women of color. **Nearly one in five (19%) Black transgender women were living with HIV**, and American Indian (4.6%) and Latina (4.4%) women also reported higher rates.

Experiences in Schools

- **More than three-quarters (77%)** of those who were out or perceived as transgender at some point between Kindergarten and Grade 12 (K–12) **experienced some form of mistreatment**, such as being verbally harassed, prohibited from dressing according to their gender identity, disciplined more harshly, or physically or sexually assaulted because people thought they were transgender.
- **Fifty-four percent (54%)** of those who were out or perceived as transgender in K–12 **were verbally harassed, nearly one-quarter (24%) were physically attacked, and 13% were sexually assaulted in K–12 because of being transgender.**
- **Seventeen percent (17%)** faced such severe mistreatment as a transgender person **that they left a K–12 school.**
- **Nearly one-quarter (24%)** of people who were out or perceived as transgender in college or vocational school **were verbally, physically, or sexually harassed.**

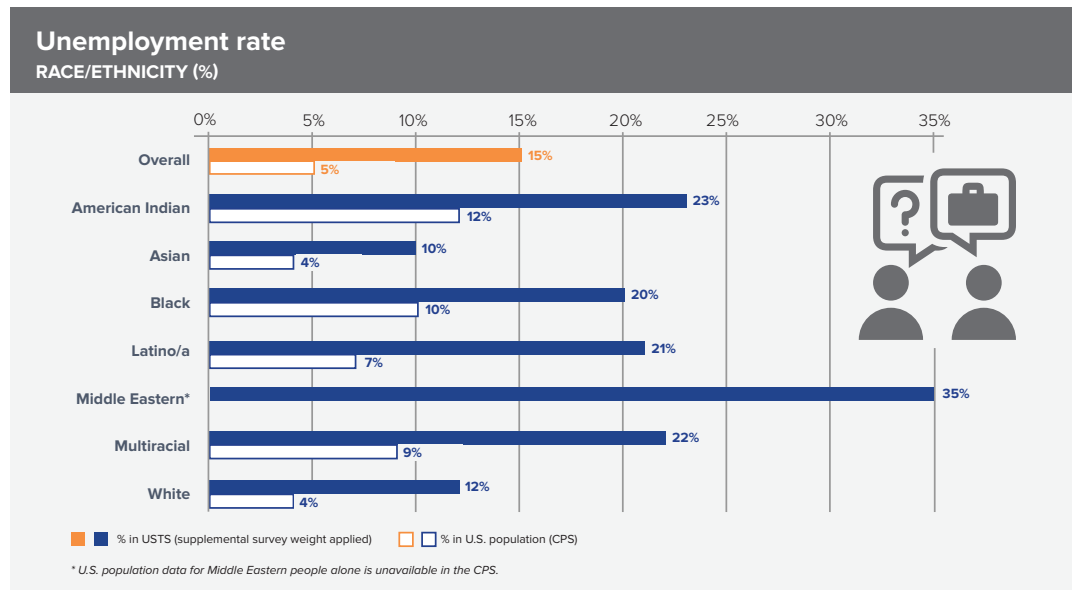


Experiences of people who were out as transgender in K–12 or believed classmates, teachers, or school staff thought they were transgender

EXPERIENCES	% OF THOSE WHO WERE OUT OR PERCEIVED AS TRANSGENDER
Verbally harassed because people thought they were transgender	54%
Not allowed to dress in a way that fit their gender identity or expression	52%
Disciplined for fighting back against bullies	36%
Physically attacked because people thought they were transgender	24%
Believe they were disciplined more harshly because teachers or staff thought they were transgender	20%
Left a school because the mistreatment was so bad	17%
Sexually assaulted because people thought they were transgender	13%
Expelled from school	6%
One or more experiences listed	77%

Income and Employment Status

- **The unemployment rate among respondents (15%) was three times higher than the unemployment rate in the U.S. population (5%),** with Middle Eastern, American Indian, multiracial, Latino/a, and Black respondents experiencing higher rates of unemployment.



- **Nearly one-third (29%) were living in poverty, more than twice the rate in the U.S. population (14%).**

Employment and the Workplace

- **One in six (16%)** respondents who have ever been employed—or 13% of all respondents in the sample—**reported losing a job because of their gender identity or expression** in their lifetime.
- **In the past year, 27%** of those who held or applied for a job during that year—19% of all respondents—**reported being fired, denied a promotion, or not being hired for a job they applied for because of their gender identity or expression.**
- **Fifteen percent (15%)** of respondents who had a job in the past year were verbally harassed, physically attacked, and/or sexually assaulted at work because of their gender identity or expression.
- **Nearly one-quarter (23%)** of those who had a job in the past year reported other forms of mistreatment based on their gender identity or expression during that year,

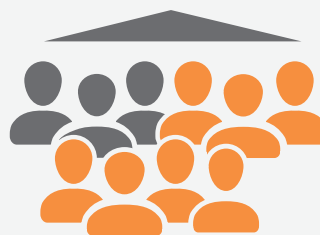
such as being forced to use a restroom that did not match their gender identity, being told to present in the wrong gender in order to keep their job, or having a boss or coworker share private information about their transgender status without their permission.

- **Overall, 30% of respondents who had a job in the past year reported being fired, denied a promotion, or experiencing some other form of mistreatment related to their gender identity or expression.**
- **More than three-quarters (77%) of respondents who had a job in the past year took steps to avoid mistreatment in the workplace**, such as hiding or delaying their gender transition or quitting their job.

Housing, Homelessness, and Shelter Access

- **Nearly one-quarter (23%) of respondents experienced some form of housing discrimination in the past year**, such as being evicted from their home or denied a home or apartment because of being transgender.
- **Nearly one-third (30%) of respondents have experienced homelessness at some point in their lives.**
- **In the past year, one in eight (12%) respondents experienced homelessness** because of being transgender.
- **More than one-quarter (26%) of those who experienced homelessness in the past year avoided staying in a shelter because they feared being mistreated as a transgender person.** Those who did stay in a shelter reported high levels of mistreatment: **seven out of ten (70%)** respondents who stayed in a shelter in the past year reported some form of mistreatment, including being harassed, sexually or physically assaulted, or kicked out because of being transgender.

Seven out of ten respondents who stayed in a shelter in the past year reported being mistreated because of being transgender.



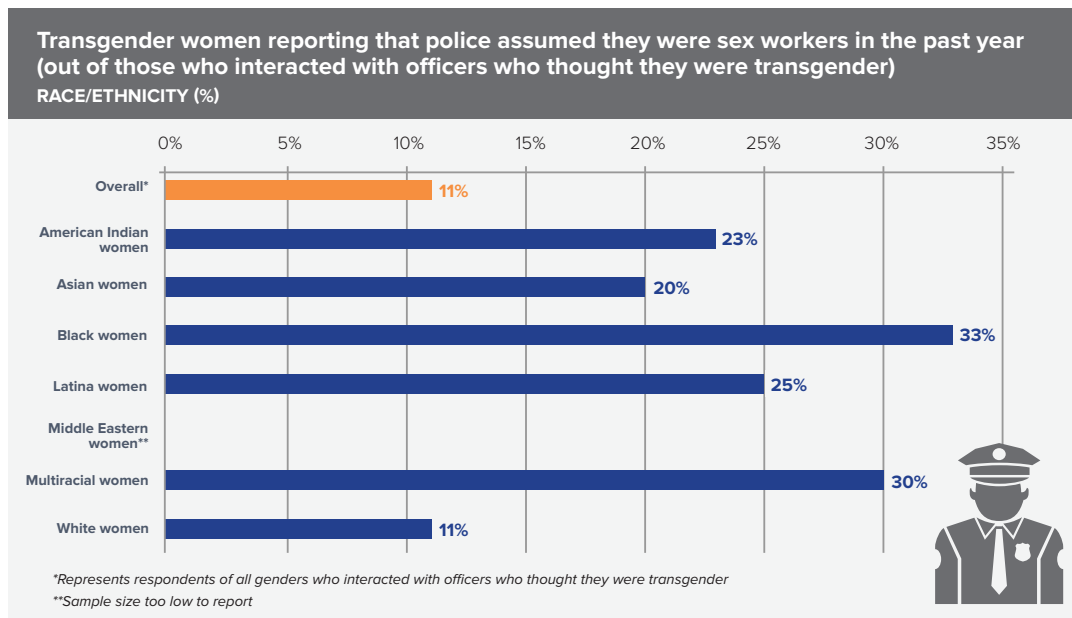
- Respondents were nearly **four times less likely to own a home (16%) compared to the U.S. population (63%).**

Sex Work and Other Underground Economy Work

- Respondents reported high rates of experience in the underground economy, including sex work, drug sales, and other work that is currently criminalized. **One in five (20%) have participated in the underground economy** for income at some point in their lives—including 12% who have done sex work in exchange for income—and 9% did so in the past year, with higher rates among women of color.
- Respondents who interacted with the police either while doing sex work or while the police mistakenly thought they were doing sex work reported high rates of police harassment, abuse, or mistreatment, with **nearly nine out of ten (86%) reporting being harassed, attacked, sexually assaulted, or mistreated in some other way by police.**
- **Those who have done income-based sex work were also more likely to have experienced violence.** More than three-quarters (77%) have experienced intimate partner violence and 72% have been sexually assaulted, a substantially higher rate than the overall sample. Out of those who were working in the underground economy at the time they took the survey, nearly half (41%) were physically attacked in the past year and over one-third (36%) were sexually assaulted during that year.

Police Interactions and Prisons

- **Respondents experienced high levels of mistreatment and harassment by police.** In the past year, of respondents who interacted with police or law enforcement officers who thought or knew they were transgender, **more than half (58%) experienced some form of mistreatment.** This included being verbally harassed, repeatedly referred to as the wrong gender, physically assaulted, or sexually assaulted, including being forced by officers to engage in sexual activity to avoid arrest.
- **Police frequently assumed that respondents—particularly transgender women of color—were sex workers.** In the past year, of those who interacted with law enforcement officers who thought or knew they were transgender, one-third (33%) of Black transgender women and 30% of multiracial women said that an officer assumed they were sex workers.
- **More than half (57%)** of respondents said they would feel **uncomfortable asking the police for help** if they needed it.
- Of those who were arrested in the past year (2%), **nearly one-quarter (22%) believed they were arrested because they were transgender.**



- Respondents who were held in jail, prison, or juvenile detention in the past year faced **high rates of physical and sexual assault by facility staff and other inmates**. In the past year, nearly one-quarter (23%) were physically assaulted by staff or other inmates, and one in five (20%) were sexually assaulted. Respondents were over **five times more likely to be sexually assaulted by facility staff** than the U.S. population in jails and prisons, and over **nine times more likely to be sexually assaulted by other inmates**.

Harassment and Violence

- **Nearly half (46%) of respondents were verbally harassed** in the past year because of being transgender.
- **Nearly one in ten (9%) respondents were physically attacked** in the past year because of being transgender.
- **Nearly half (47%) of respondents were sexually assaulted** at some point in their lifetime and **one in ten (10%) were sexually assaulted in the past year**. Respondents who have done sex work (72%), those who have experienced homelessness (65%), and people with disabilities (61%) were more likely to have been sexually assaulted in their lifetime.
- **More than half (54%) experienced some form of intimate partner violence**, including acts involving coercive control and physical harm.
- **Nearly one-quarter (24%) have experienced severe physical violence by an intimate partner, compared to 18% in the U.S. population.**

Places of Public Accommodation

- Respondents reported being denied equal treatment or service, verbally harassed, or physically attacked at many places of public accommodation—places that provide services to the public, like retail stores, hotels, and government offices. Out of respondents who visited a place of public accommodation where staff or employees thought or knew they were transgender, **nearly one-third (31%) experienced at least one type of mistreatment in the past year in a place of public accommodation.** This included 14% who were denied equal treatment or service, 24% who were verbally harassed, and 2% who were physically attacked because of being transgender.
- **One in five (20%) respondents did not use at least one type of public accommodation** in the past year because they feared they would be mistreated as a transgender person.

Denied equal treatment or service, verbally harassed, or physically attacked in public accommodations in the past year because of being transgender

LOCATION VISITED	% OF THOSE WHO SAID STAFF KNEW OR THOUGHT THEY WERE TRANSGENDER
Public transportation	34%
Retail store, restaurant, hotel, or theater	31%
Drug or alcohol treatment program	22%
Domestic violence shelter or program or rape crisis center	22%
Gym or health club	18%
Public assistance or government benefit office	17%
Department of Motor Vehicles (DMV)	14%
Nursing home or extended care facility	14%
Court or courthouse	13%
Social Security office	11%
Legal services from an attorney, clinic, or legal professional	6%



Experiences in Restrooms

The survey data was collected before transgender people’s restroom use became the subject of increasingly intense and often harmful public scrutiny in the national media and legislatures around the country in 2016. Yet respondents reported facing frequent harassment and barriers when using restrooms at school, work, or in public places.

- **Nearly one in ten (9%) respondents reported that someone denied them access to a restroom in the past year.**
- In the past year, **respondents reported being verbally harassed (12%), physically attacked (1%), or sexually assaulted (1%)** when accessing a restroom.

- **More than half (59%)** of respondents **avoided using a public restroom** in the past year because they were afraid of confrontations or other problems they might experience.
- **Nearly one-third (32%)** of respondents **limited the amount that they ate and drank** to avoid using the restroom in the past year.
- **Eight percent (8%)** reported having a **urinary tract infection, kidney infection, or another kidney-related problem** in the past year as a result of avoiding restrooms.

More than half (59%) of respondents **avoided using a public restroom** in the past year because they were afraid of confrontations or other problems they might experience.

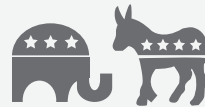


Civic Participation and Party Affiliation

- **More than three-quarters (76%)** of U.S. citizens of voting age in the sample reported that they were registered to vote in the November 2014 midterm election, compared to 65% in the U.S. population.
- **More than half (54%)** of U.S. citizens of voting age reported that they had voted in the midterm election, compared to 42% in the U.S. population.
- **Half (50%)** of respondents identified as Democrats, **48%** identified as Independents, and **2%** identified as Republicans, compared to 27%, 43%, and 27% in the U.S. population, respectively.

Political party affiliation

POLITICAL PARTY	% IN USTS	% IN U.S. POPULATION (GALLUP)
Democrat	50%	27%
Independent	48%	43%
Republican	2%	27%



About the National Center for Transgender Equality

The National Center for Transgender Equality (NCTE) is the nation's leading social justice policy advocacy organization devoted to ending discrimination and violence against transgender people. NCTE was founded in 2003 by transgender activists who recognized the urgent need for policy change to advance transgender equality. NCTE now has an extensive record winning life-saving changes for transgender people. NCTE works by educating the public and by influencing local, state, and federal policymakers to change policies and laws to improve the lives of transgender people. By empowering transgender people and our allies, NCTE creates a strong and clear voice for transgender equality in our nation's capital and around the country.

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The Report of the
2015 U.S. Transgender Survey: Executive Summary

by:

Sandy E. James, Jody L. Herman, Susan Rankin, Mara Keisling, Lisa Mottet, and Ma'ayan Anafi
December 2016

RECOMMENDED CITATION

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The full report of the 2015 U.S. Transgender Survey is available at www.USTransSurvey.org.

Updated January 2017

THE REPORT OF THE



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Exhibit C

**Exhibit C to Borelli Decl.: American Psychiatric Association,
*Position Statement on Discrimination Against
Transgender and Gender Variant Individuals (2012)***

Position Statement on Access to Care for Transgender and Gender Variant Individuals

Approved by the Board of Trustees, July 2012

Approved by the Assembly, May 2012

"Policy documents are approved by the APA Assembly and Board of Trustees...These are...position statements that define APA official policy on specific subjects..." – *APA Operations Manual*.

Issue: Significant and long-standing medical and psychiatric literature exists that demonstrates clear benefits of medical and surgical interventions to assist gender variant individuals seeking transition. However, private and public insurers often do not offer, or may specifically exclude, coverage for medically necessary treatments for gender transition. Access to medical care (both medical and surgical) positively impacts the mental health of transgender and gender variant individuals.

The APA's vision statement includes the phrase: "Its vision is a society that has available, accessible quality psychiatric diagnosis and treatment," yet currently, transgender and gender variant individuals frequently lack available and accessible treatment. In addition, APA's values include the following points:

- best standards of clinical practice
- patient-focused treatment decisions
- scientifically established principles of treatment
- advocacy for patients

Transgender and gender variant individuals currently lack access to the best standards of clinical practice, frequently do not have the opportunity to pursue patient-focused treatment decisions, do not receive scientifically established treatment and could benefit significantly from APA's advocacy.

APA Position:

Therefore, the American Psychiatric Association:

1. **Recognizes that appropriately evaluated transgender and gender variant individuals can benefit greatly from medical and surgical gender transition treatments.**
2. **Advocates for removal of barriers to care and supports both public and private health insurance coverage for gender transition treatment.**
3. **Opposes categorical exclusions of coverage for such medically necessary treatment when prescribed by a physician.**

Authors: Jack Drescher, M.D., Ellen Haller, M.D., APA Caucus of Lesbian, Gay and Bisexual Psychiatrists.

Background to the Position Statement

Transgender and gender variant people are frequently denied medical, surgical and psychiatric care related to gender transition despite significant evidence that appropriately evaluated individuals benefit from such care. It is often asserted that the DSM (and ICD) diagnoses provide the only pathways to insurance reimbursement for transgender individuals seeking medical assistance. However, to date, the APA has issued no treatment guidelines for gender identity disorder (GID) in either children or adults. This omission is in contrast to an increasing proliferation of APA practice guidelines for other DSM diagnoses (1).

The absence of a formal APA opinion about treatment of a diagnosis of its own creation has contributed to an ongoing problem of many health care insurers and other third party payers claiming that hormonal treatment and sex reassignment surgery (SRS) are “experimental treatments,” “elective treatments,” or “not medically necessary,” and, therefore, not reimbursable or covered under most insurance plans. The lack of consistency in how a transgender condition is defined by some institutions further marginalizes these individuals based on their subjective, surgical and hormonal status (2). In addition, treatment is not always accessible to wards of governmental agencies, such as transgender and gender variant individuals in foster care and prison systems. In other words, the presence of the GID diagnosis in the DSM has not served its intended purpose of creating greater access to care--one of the major arguments for diagnostic retention (1).

Lack of access to care adversely impacts the mental health of transgender and gender variant people, and both hormonal and surgical treatment have been shown to be efficacious in these individuals (3-7). Practice guidelines have been developed based on peer-reviewed scientific studies and are published and available for clinicians to access (3, 8, 9). The American Medical Association and the American Psychological Association both have position statements stating the critical importance of access to care for transgender and gender variant individuals (10, 11).

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Exhibit D

**Exhibit D to Borelli Decl.: Excerpt of Human Rights Campaign
Foundation, *Corporate Equality Index 2017* (2016)**



HUMAN
RIGHTS
CAMPAIGN
FOUNDATION™

CORPORATE EQUALITY INDEX 2017

Rating Workplaces on Lesbian, Gay,
Bisexual and Transgender Equality



887

of the Nation's Largest Businesses
Demonstrated Their Commitment
to LGBT Equality and Inclusion



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CEI 2017

CORPORATE EQUALITY INDEX 2017



HUMAN
RIGHTS
CAMPAIGN
FOUNDATION™

Rating Workplaces on Lesbian, Gay, Bisexual and Transgender Equality

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The nation's largest employers have demonstrated through their actions that LGBTQ people are not just tolerated, but welcomed in their workplaces and communities.

IN 2016, THE LGBTQ COMMUNITY WAS

subjected to unprecedented attacks – from state lawmakers plotting to undermine our historic gains, to tragic, unimaginable experiences of violence, to those who pledged to roll back our rights from the highest offices in the land.

And yet, during it all, the unstoppable beat of progress towards greater equality in the places many LGBTQ Americans spend most of their daily lives – their workplaces – didn't just remain steady, it sped up.

In this 15th edition of the Corporate Equality Index we have seen the largest increase in top-rated businesses in the history of our survey with 515 employers earning perfect 100 percent scores. In addition, this year saw the CEI's largest jump ever in businesses offering transgender-inclusive healthcare coverage – from 511 last year to 647 this year.

These businesses know that LGBTQ equality isn't just the right thing to do, it makes them stronger in our global economy. Ensuring fairness in the workplace is a value and increasingly a policy norm, and not just in the U.S. Now, more than 90 percent of CEI-rated businesses have embraced both sexual orientation and gender identity employment protections for their U.S. and global operations.

This past year, as an unprecedented wave of anti-LGBTQ bills spread across the country, corporate champions state to state – from South Dakota and Mississippi, and North Carolina and Georgia – made their voices heard and stood firmly on the side of fairness and equality.

The story behind this groundswell of public support for equality began within each business's efforts to recognize their own LGBTQ employees and adopt inclusive policies, benefits and practices. With every policy change and discussion of transgender-inclusive benefits, for example, an employee saw a path to bringing their full self to work, an executive could put a human face to the need for full


equality and an ally could proudly display a show of support for their LGBTQ colleagues and friends.

The nation's largest employers have demonstrated through their actions that LGBTQ people are not just tolerated, but welcomed in their workplaces and communities. Even with all of this progress, we know that policies and benefits make up the crucial foundation, but not the totality, of what's needed to ensure that LGBTQ workers can thrive from the plant floor to the corner office.

Today, marriage equality and hate crimes protections are the law of the land. Barriers to LGBTQ service in the armed forces have been lifted. But the lack of consistent, explicit federal protections in employment, housing, credit, public services and other essential aspects of American life remain major barriers to full equality for the LGBTQ community.

While there is much to do and many key civil rights fights ahead, thanks to these private sector leaders, the march towards greater equality is not slowing down. The LGBTQ community and the 887 businesses in the CEI will keep moving forward every day.

Sincerely,



Chad Griffin, President
Human Rights Campaign Foundation

Executive Summary



The most significant progress in the CEI has been the wide-scale adoption of transgender-inclusive initiatives across businesses.

Corporate Equality Index 2017

IN THIS 15TH EDITION OF THE HUMAN

Rights Campaign's Corporate Equality Index, a record 515 employers earned a top rating of 100 percent. This is the largest jump in top-rated businesses in a single year in the entire history of the CEI. The CEI catalyzes change by appealing to businesses' competitive nature: behind every top rated business in the 2016 report, numerous peers were spurred to catch up in the 2017 CEI.

The CEI criteria reflect leading policies, benefits and practices for the LGBT workforce and their families. The criteria are premised on the notion of parity rather than prescription. In other words, HRC promotes the adoption of LGBT-specific language into existing corporate practices (e.g. ensuring that existing health care coverage affords coverage for routine and chronic care of transgender individuals as well as transition-related medical coverage). By using the CEI as a guide, businesses can ensure that their existing policy and benefit infrastructure is inclusive of the LGBT workforce and their families, resulting in greater recruitment and retention of a talented, diverse workforce.

The most significant progress in the CEI has been the wide-scale adoption of transgender-inclusive initiatives across businesses.

- A full 82 percent of the Fortune 500 have gender identity protections enumerated in their non-discrimination policies and 96 percent of the entire CEI universe of businesses offer explicit gender identity non-discrimination protections in the U.S.
- Fifty percent of the Fortune 500 and nearly three-fourths (73 percent) of the CEI universe of businesses offer transgender-inclusive health care coverage, up from 0 in 2002 and over six times as many businesses as five years ago. With 136 new employers offering this coverage in the 2017 report, this represents the greatest increase

in a single year of employers offering transgender-inclusive health care benefits.

- A majority of CEI-rated businesses (86 percent) offer education and training programs that specifically include definitions and/ or scenarios on gender identity in the workplace; and,
- Nearly four-hundred (387) major businesses have adopted gender transition guidelines for employees and their teams to establish best practices in transgender inclusion.

These reflect low-cost, high yield investments in major businesses' talent as well as in their broader profile as forward-looking, responsible businesses. Top-rated CEI employers span nearly every industry and major geography of the United States. Of the employers in the CEI with global operations (57 percent), a strong majority (98 percent) has extended sexual orientation and gender identity-based workplace protections throughout their international operations.

In addition to the depth of investment the top-rated businesses have made in the name of equality, the 2017 CEI shows an unprecedented breadth of brand new businesses. This year's CEI contains an impressive 72 new businesses that opted into the survey. A grand total of 5,228 major brands fall under rated CEI businesses.

The following report is reflective of primarily verified data submitted to the HRC Foundation as well as independent research on non-responding businesses. Wherever credit can be verified, all ranked businesses will receive it, irrespective of their participation in the CEI survey.

The HRC Foundation has worked with hundreds of businesses to promote workplace equality for LGBT workers.

CEI 2017 Executive Summary

In the first year of the CEI a decade ago, 13 businesses achieved a top score of 100 percent.

This year, a record 515 businesses achieved a top rating of 100 percent.

2002	2017	100% by Industry
	112	Law Firms
1	69	Banking and Financial Services
	38	Retail and Consumer Products
1	36	Insurance
	27	Consulting and Business Services
	27	Food, Beverages and Groceries
	17	Manufacturing
	16	Healthcare
	15	Advertising and Marketing
	15	Pharmaceuticals
	13	Computer Software
	13	Hotels, Resorts and Casinos
1	13	Internet Services and Retailing
	12	Entertainment and Electronic Media
	11	Energy and Utilities
	10	Automotive
4	9	Computer and Data Services
	8	Telecommunications
2	7	Aerospace and Defense
1	7	Chemicals and Biotechnology
	7	High-Tech/Photo/Science Equip.
	6	Airlines
1	6	Apparel, Fashion, Textiles, Dept. Stores
1	4	Computer Hardware and Office Equipment
	3	Oil and Gas
	3	Real Estate, Commercial
1	3	Transportation and Travel
	2	Education and Child Care
	2	Home Furnishing
	2	Mining and Metals
	2	Miscellaneous
	1	Engineering and Construction
	1	Mail and Freight Delivery



Equality at the Fortune-Ranked Companies

A record 327 of the Fortune 500-ranked businesses have official CEI ratings based on submitted surveys (as compared to 321 last year), with an average rating of 91 compared to 87 last year. The Fortune 500 list has been invited each year since 2002.

199 of the Fortune 500-ranked businesses achieved a 100 percent rating (compared to 151 last year), with 12 of the top 20 Fortune-ranked businesses at this top score. Ninety-two percent of the Fortune 500 include "sexual orientation" in their non-discrimination policies and 82 percent include "gender identity." For the first time, half of Fortune 500 companies offer transgender-inclusive health care benefits, including surgical procedures.

Fortune 1000 list of the largest publicly traded companies was invited to take part in the Corporate Equality Index survey for the seventh year in a row.

CEI 2017 Equality at the Fortune-Ranked Companies



Businesses' Commitment to LGBT Employees

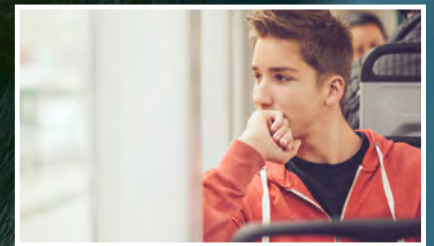
	All Fortune 500	Fortune 500 Participants	Fortune 500 Non-Responders
Sexual Orientation in U.S. Non-Discrimination Policy	92%	99%	75%
Gender Identity in U.S. Non-Discrimination Policy	82%	98%	49%
Domestic Partner Benefits	61%	81%	19%
Transgender-Inclusive Benefits	50%	74%	0%
Organizational LGBT Competency	57%	83%	0%
Public Commitment to the LGBT Community	47%	69%	0%
Average 2017 CEI Score	66	91	14

12 of the Top 20 Fortune-Ranked Companies Received 100% Ratings

	Fortune1000	2017 CEI Score
Wal-Mart Stores Inc.	1	100
Exxon Mobil Corp.	2	85
Chevron Corp.	3	100
Berkshire Hathaway Inc.	4	20
Apple Inc.	5	100
General Motors Co.	6	100
Phillips 66	7	75
General Electric Co.	8	100
Ford Motor Co.	9	100
CVS Health Corp.	10	100
McKesson Corp.	11	100
AT&T Inc.	12	100
Valero Energy Corp.	13	20
UnitedHealth Group Inc.	14	95
Verizon Communications Inc.	15	100
AmerisourceBergen Corp.	16	85
Federal National Mortgage Association (Fannie Mae)	17	100
Costco Wholesale Corp.	18	70
HP Inc.	19	100
Kroger Co., The	20	95

Exhibit E

Exhibit E to Borelli Decl.: Excerpt of Substance Abuse and Mental Health Services Administration, *Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth* (2015)



Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth

October 2015



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Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth

October 2015

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Disclaimer

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Originating Office

Division of Systems Development, Center for Substance Abuse Prevention, Substance Abuse and Mental Health Services.



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Statements of Professional Consensus

The following are the statements of professional consensus regarding sexual orientation and gender identity and expression that were developed during the July 2015 APA consensus convening. After initially developing separate statements regarding issues relating to the development of sexual orientation and gender identity and gender expression, the panel developed a set of three key summary statements. The panel also developed a statement regarding the guiding human rights and scientific principles that provide a foundation for behavioral health professionals' work in this area.

Guiding Principles

Behavioral health professionals respect human dignity and rights. The foundational ethical principle of “self-determination” requires that children and adolescents be supported in their right to explore, define, and articulate their own identity. The principles of “justice” and “beneficence and nonmaleficence” require that all children and adolescents have access to behavioral health treatments that will promote their health and welfare. Children and adolescents have the right to participate in decisions that affect their treatment and future. Behavioral health professionals respect human diversity and strive to incorporate multicultural awareness into their work.

These guiding principles are based upon the codes of ethics for the professional fields of Psychology, Psychiatry, and Social Work (American Psychiatric Association, 2013b; American Psychological Association, 2010; National Association of Social Workers, 2008).

Professional Consensus on Conversion Therapy with Minors

1. Same-gender⁷sexual orientation (including identity, behavior, and/or attraction) and variations in gender identity and gender expression are a part of the normal spectrum of human diversity and do not constitute a mental disorder.
2. There is limited research on conversion therapy efforts among children and adolescents; however, none of the existing research supports the premise that mental or behavioral health interventions can alter gender identity or sexual orientation.
3. Interventions aimed at a fixed outcome, such as gender conformity or heterosexual orientation, including those aimed at changing gender identity, gender expression, and sexual orientation are coercive, can be harmful, and should not be part of behavioral health treatments. Directing the child to be conforming to any gender expression or sexual orientation, or directing the parents to place pressure for specific gender expressions, gender identities, and sexual orientations are inappropriate and reinforce harmful gender and sexual orientation stereotypes.

Professional Consensus on Sexual Orientation in Youth

1. Same-gender sexual identity, behavior, and attraction are not mental disorders. Same-gender sexual attractions are part of the normal spectrum of sexual orientation. Sexual orientation change in children and adolescents should not be a goal of mental health and behavioral interventions.
2. Sexual minority children and adolescents are especially vulnerable populations with unique developmental tasks who lack protections from involuntary or coercive treatment, and whose parents and guardians need accurate information to make informed decisions about behavioral health treatment.
3. There is a lack of published research on efforts to change sexual orientation among children and adolescents; no existing research supports that mental health and behavioral interventions with children and adolescents alter sexual orientation. Given the research on the secondary outcomes of such efforts, the potential for risk of harm suggests the need for other models of behavioral health treatment.
4. Behavioral health professionals provide accurate information on sexual orientation, gender identity, and expression; increase family and school support; and, reduce rejection of sexual minority youth. Behavioral health practitioners identify sources of distress and work to reduce distress experienced by children and adolescents. Behavioral health professionals provide efforts to encourage identity exploration and integration, adaptive coping, and family acceptance to improve psychological well-being.

Professional Consensus on Gender Identity and Gender Expression in Youth

Consensus on the Overall Phenomena of Gender Identity and Gender Expression

1. Variations in gender identity and expression are normal aspects of human diversity and do not constitute a mental disorder. Binary definitions of gender may not reflect emerging gender identities.
2. Pre-pubertal children and peri-pubertal adolescents who present with diverse gender expressions or gender dysphoria may or may not develop a transgender identity in adolescence or adulthood. In pubertal and post-pubertal adolescents, diverse gender expressions and transgender identity usually continue into adulthood.

Consensus on Efforts to Change Gender Identity

3. There is a lack of published research on efforts to change gender identity among children and adolescents; no existing research supports that mental health and behavioral interventions with children and adolescents alter gender identity.
4. It is clinically inappropriate for behavioral health professionals to have a prescriptive goal related to gender identity, gender expression, or sexual orientation for the ultimate developmental outcome of a child's or adolescent's gender identity or gender expression.
5. Mental health and behavioral interventions aimed at achieving a fixed outcome, such as gender conformity, including those aimed at changing gender identity or gender expression, are coercive, can be harmful, and should not be part of treatment. Directing the child or adolescent to conform to any particular gender expression or identity, or directing parents and guardians to place pressure on the child or adolescent to conform to specific gender expressions and/or identities, is inappropriate and reinforces harmful gender stereotypes.

Consensus on Appropriate Therapeutic Intervention for Youth with Gender-Related Concerns

6. Children and adolescents experiencing gender-related concerns are an especially vulnerable population with unique developmental tasks. Parents and guardians need accurate scientific information to make informed decisions about appropriate mental health and behavioral interventions, including whether or not to initiate a social gender transition or, in the case of peri-pubertal, pubertal, and post-pubertal adolescents, medical intervention. Treatment discussions should respect the child's and adolescent's developing autonomy, recognizing that adolescents are still transitioning into adult decision-making capacities.
7. Approaches that focus on developmentally-appropriate identity exploration, integration, the reduction of distress, adaptive coping, and family acceptance to improve psychological well-being are recommended for children and adolescents of all ages experiencing gender-related concerns.

Pre-Pubertal Children

8. Gender expression and gender identity are interrelated and difficult to differentiate in pre-pubertal children, and are aspects of identity that develop throughout childhood. Therefore, a detailed psychological assessment should be offered to children and families to better understand the present status of a child's gender identity and gender expression, as well as any associated distress.

Peri-Pubertal Adolescents

9. For peri-pubertal adolescents, the purpose of pubertal suppression is to provide time to support identity exploration, to alleviate or avoid potential distress associated with physical maturation and secondary sex characteristics⁸, and to improve future healthy adjustment. If pubertal suppression is being considered, it is strongly recommended that parents or guardians and medical providers obtain an assessment by a licensed behavioral health provider to understand the present status of a peri-pubertal adolescent's gender identity or gender expression and associated distress, as well as to provide developmentally-appropriate information to the peri-pubertal adolescent, parents or guardians, and other health care professionals involved in the peri-pubertal adolescent's care. The purpose of the assessment is to advise and inform treatment decisions regarding pubertal suppression after sharing details of the potential risks, benefits, and implications of pubertal suppression, including the effects of pubertal suppression on behavioral health disorders, cognitive and emotional development, and future physical and sexual health.

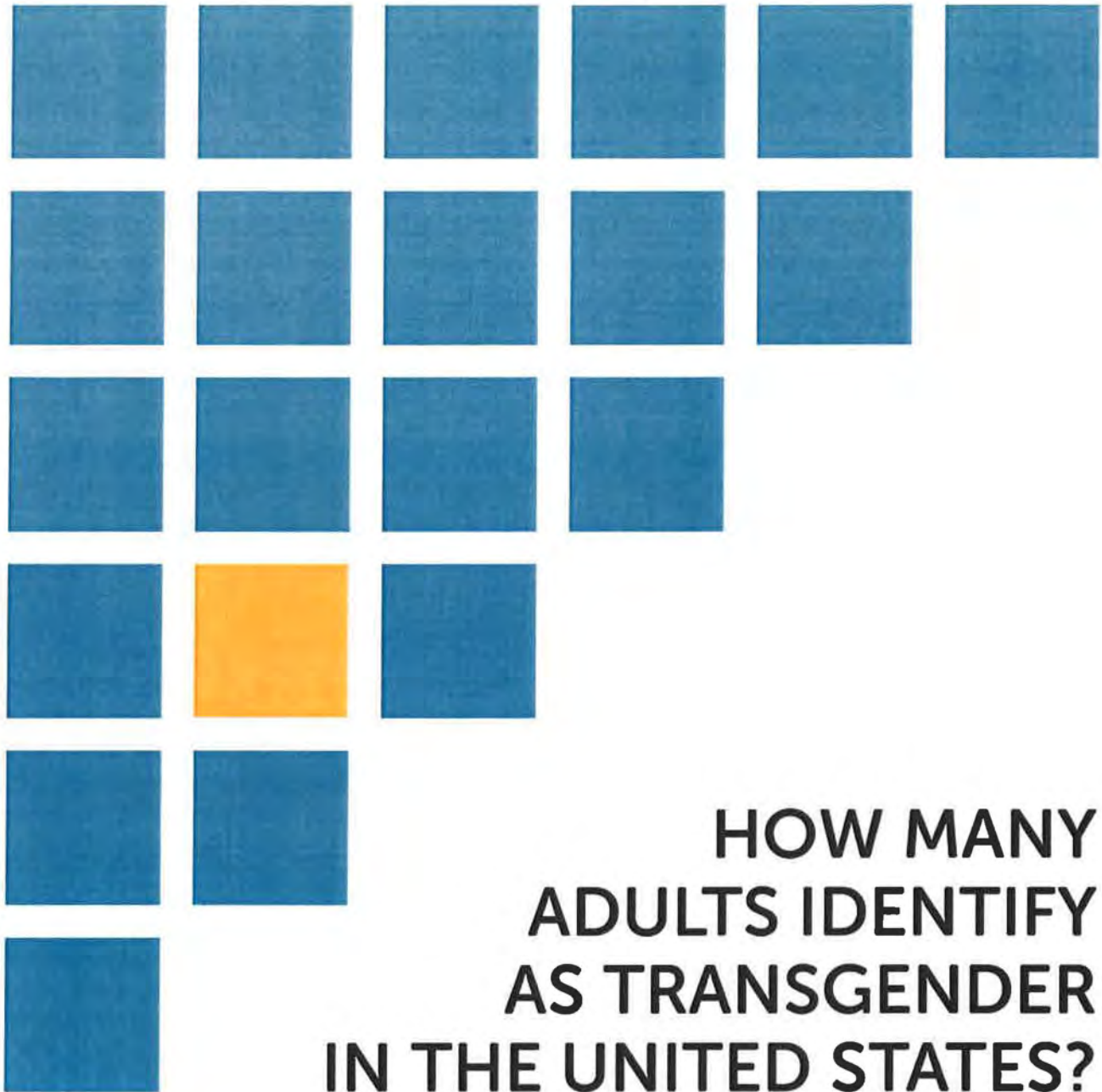
Pubertal and Post-Pubertal Adolescents

10. Decision-making regarding one's developing gender identity is a highly individualized process and takes many forms. For pubertal and post-pubertal adolescents, if physical gender transition (such as hormone therapy or gender affirming surgeries) is being considered, it is strongly recommended that adolescents, parents, and providers obtain an assessment by a licensed behavioral health provider to understand the present status of an adolescent's gender identity and gender expression and associated distress, as well as to provide developmentally-appropriate information to adolescents, parents or guardians, and other health care professionals involved in the pubertal or post-pubertal adolescent's care. If physical transition is indicated, the potential risks, benefits, and implications of the transition-related procedures being considered – including the effects on behavioral health disorders, cognitive and emotional development, and potentially irreversible effects on physical health, fertility, and sexual health – are presented to the adolescent and parents or guardians.

Withholding timely physical gender transition interventions for pubertal and post-pubertal adolescents, when such interventions are clinically indicated, prolongs gender dysphoria and exacerbates emotional distress.

Exhibit F

Exhibit F to Borelli Decl.: The Williams Institute, *How Many Adults Identify As Transgender In The U.S.?* (June 2016)



Andrew R. Flores, Jody L. Herman, Gary J. Gates, and Taylor N. T. Brown



the
**Williams
INSTITUTE**

JUNE 2016

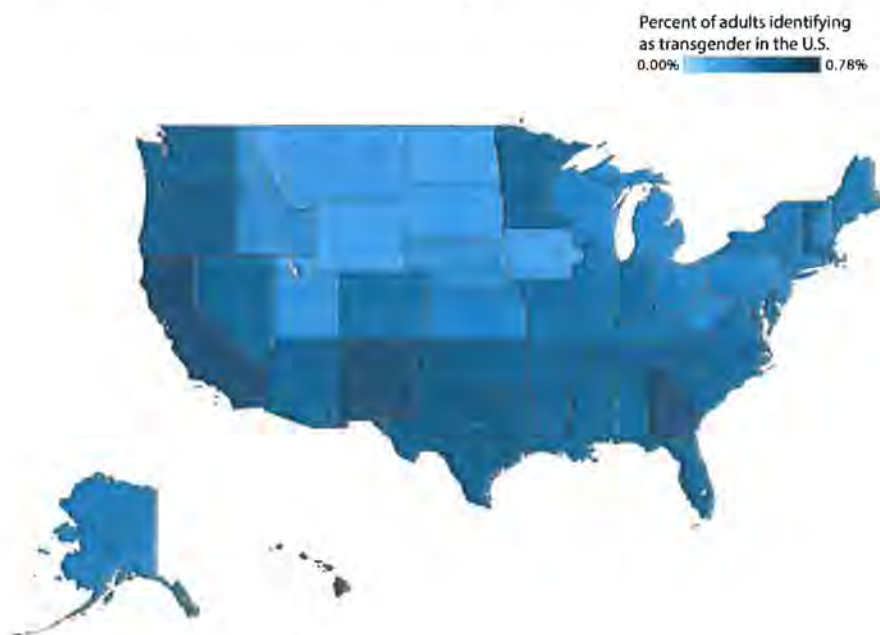
INTRODUCTION AND SUMMARY

Population-based surveys, meaning those that are designed to allow researchers to generalize findings to the population, rarely ask questions to identify transgender people and, therefore, cannot be used to provide estimates of the size and characteristics of the transgender population. The federal government administers several large, national population-based surveys like the American Community Survey and the National Health Interview Survey that track the demographics, health and well-being of U.S. residents. Unfortunately, these surveys do not currently measure gender identity.¹ However, there are several state-level population-based surveys that identify transgender respondents and can be used to estimate the size and characteristics of the transgender population.

In 2011, Gary J. Gates utilized two state-level population-based surveys that collected data from 2003 in California and from 2007 and 2009 in Massachusetts to estimate that 0.3% of the U.S. adult population, roughly 700,000 adults, identified as transgender.² Since then, more state-level data sources have emerged that allow us to utilize an estimation procedure that would not have been possible with the limited data available in 2011. Compared to the data used in Gates' study, these new data sources provide more recent data (2014), larger sample sizes, and more detailed information about respondents. This allows for the development of more recent, detailed, and statistically robust estimates of the percentage and number of adults in the United States who identify as transgender.

This report utilizes data from the CDC's Behavioral Risk Factor Surveillance System (BRFSS) to estimate the percentage and number of adults who identify as transgender nationally and in all 50 states.³ We find that 0.6% of U.S. adults identify as transgender. This figure is double the estimate that utilized data from roughly a decade ago and implies that an estimated 1.4 million adults in the U.S. identify as transgender.⁴ State-level estimates of adults who identify as transgender range from 0.3% in North Dakota to 0.8% in Hawaii.⁵ In addition, due to current state-level policy debates that specifically target and affect transgender students, we provide estimates of the number of adults who identify as transgender by age. The youngest age group, 18 to 24 year olds, is more likely than older age groups to identify as transgender.

Figure 1. Percent of Adults Who Identify as Transgender in the United States



National and State-level Estimates of Transgender-Identified Adults

An estimated 0.6% of adults, about 1.4 million, identify as transgender in the United States. States vary in the percentage of residents who identify as transgender (See Table 1). Hawaii has the highest percentage of adults who identify as transgender, approximately 0.8% of adults, and North Dakota has the lowest percentage, at 0.3%. The District of Columbia is notable for its relatively high percentage of transgender-identified adults (2.8%).⁶ Twenty states and the District of Columbia are estimated to have a higher percentage of transgender-identified adults than the national average.

Table 1. Estimated Population of Adults Who Identify as Transgender by State of Residence

STATE	POPULATION	PERCENT	RANK
United States of America	1,397,150	0.58%	-
Alabama	22,500	0.61%	15
Alaska	2,700	0.49%	33
Arizona	30,550	0.62%	12
Arkansas	13,400	0.60%	18
California	218,400	0.76%	2
Colorado	20,850	0.53%	27
Connecticut	12,400	0.44%	37
Delaware	4,550	0.64%	9
District of Columbia ⁷	14,550	2.77%	-
Florida	100,300	0.66%	6
Georgia	55,650	0.75%	4
Hawaii	8,450	0.78%	1
Idaho	4,750	0.41%	43
Illinois	49,750	0.51%	30
Indiana	27,600	0.56%	23
Iowa	7,400	0.31%	49
Kansas	9,300	0.43%	41
Kentucky	17,700	0.53%	26
Louisiana	20,900	0.60%	17
Maine	5,350	0.50%	31
Maryland	22,300	0.49%	32
Massachusetts	29,900	0.57%	22
Michigan	32,900	0.43%	40
Minnesota	24,250	0.59%	20
Mississippi	13,650	0.61%	14
Missouri	25,050	0.54%	25
Montana	2,700	0.34%	47
Nebraska	5,400	0.39%	44
Nevada	12,700	0.61%	13

STATE	POPULATION	PERCENT	RANK
New Hampshire	4,500	0.43%	39
New Jersey	30,100	0.44%	36
New Mexico	11,750	0.75%	3
New York	78,600	0.51%	29
North Carolina	44,750	0.60%	16
North Dakota	1,650	0.30%	50
Ohio	39,950	0.45%	34
Oklahoma	18,350	0.64%	8
Oregon	19,750	0.65%	7
Pennsylvania	43,800	0.44%	35
Rhode Island	4,250	0.51%	28
South Carolina	21,000	0.58%	21
South Dakota	2,150	0.34%	46
Tennessee	31,200	0.63%	10
Texas	125,350	0.66%	5
Utah	7,200	0.36%	45
Vermont	3,000	0.59%	19
Virginia	34,500	0.55%	24
Washington	32,850	0.62%	11
West Virginia	6,100	0.42%	42
Wisconsin	19,150	0.43%	38
Wyoming	1,400	0.32%	48

Estimates of Transgender-Identified Adults by Age

Prior research suggests that individuals who identify as transgender are younger, on average, than non-transgender individuals.⁸ As expected, we find that younger adults are more likely than older adults to identify as transgender. An estimated 0.7% of adults between the ages of 18 and 24 identify as transgender. Lower percentages of older adults identify as transgender, with 0.6% of adults age 25 to 64 and 0.5% of adults age 65 or older identifying as transgender.

Table 2. Estimated Population of Adults Who Identify as Transgender by Age and State of Residence

STATE	AGE					
	18-24		25-64		65 AND OLDER	
	POPULATION	PERCENTAGE	POPULATION	PERCENTAGE	POPULATION	PERCENTAGE
United States of America	205,850	0.66%	967,100	0.58%	217,050	0.50%
Alabama	3,250	0.67%	15,450	0.61%	3,700	0.53%
Alaska	500	0.60%	1,950	0.48%	250	0.42%
Arizona	4,700	0.72%	20,800	0.63%	4,850	0.50%
Arkansas	1,850	0.65%	9,150	0.61%	2,300	0.52%
California	33,450	0.84%	154,750	0.77%	29,050	0.63%
Colorado	3,200	0.63%	14,900	0.53%	2,750	0.45%
Connecticut	1,750	0.52%	8,450	0.44%	2,100	0.40%
Delaware	700	0.73%	3,050	0.64%	800	0.55%
District of Columbia	2,600	3.14%	9,900	2.66%	1,950	2.72%
Florida	13,450	0.75%	66,750	0.67%	19,350	0.55%
Georgia	8,700	0.86%	39,500	0.75%	7,450	0.66%
Hawaii	1,200	0.89%	5,700	0.77%	1,550	0.72%
Idaho	750	0.47%	3,250	0.41%	750	0.35%
Illinois	7,150	0.57%	34,500	0.50%	7,750	0.46%
Indiana	4,100	0.62%	18,950	0.56%	4,450	0.50%
Iowa	1,100	0.35%	4,900	0.31%	1,350	0.29%
Kansas	1,500	0.49%	6,300	0.43%	1,500	0.38%
Kentucky	2,400	0.57%	12,200	0.52%	3,000	0.49%
Louisiana	3,150	0.66%	14,550	0.60%	3,100	0.52%
Maine	650	0.56%	3,650	0.50%	1,050	0.45%
Maryland	3,200	0.57%	15,650	0.49%	3,300	0.43%
Massachusetts	4,550	0.66%	20,150	0.56%	5,050	0.53%
Michigan	4,800	0.48%	22,400	0.43%	5,600	0.39%
Minnesota	3,450	0.69%	16,750	0.58%	3,950	0.54%
Mississippi	2,100	0.66%	9,400	0.62%	2,150	0.53%
Missouri	3,600	0.60%	17,000	0.54%	4,400	0.50%
Montana	400	0.40%	1,800	0.34%	450	0.30%

STATE	AGE					
	18-24		25-64		65 AND OLDER	
	POPULATION	PERCENTAGE	POPULATION	PERCENTAGE	POPULATION	PERCENTAGE
Nebraska	800	0.44%	3,650	0.39%	900	0.35%
Nevada	1,750	0.70%	9,100	0.61%	1,750	0.49%
New Hampshire	650	0.50%	3,100	0.43%	750	0.39%
New Jersey	3,950	0.51%	21,050	0.44%	5,050	0.41%
New Mexico	1,800	0.85%	8,000	0.75%	1,850	0.62%
New York	11,150	0.56%	54,150	0.51%	12,850	0.47%
North Carolina	6,600	0.68%	31,050	0.60%	7,150	0.53%
North Dakota	300	0.34%	1,050	0.30%	300	0.29%
Ohio	5,550	0.50%	27,150	0.45%	7,000	0.41%
Oklahoma	2,800	0.72%	12,600	0.64%	2,900	0.55%
Oregon	2,800	0.76%	13,700	0.65%	3,150	0.55%
Pennsylvania	6,100	0.48%	29,250	0.44%	8,250	0.40%
Rhode Island	650	0.56%	2,800	0.51%	750	0.46%
South Carolina	3,150	0.64%	14,250	0.58%	3,450	0.50%
South Dakota	350	0.39%	1,400	0.34%	350	0.30%
Tennessee	4,250	0.68%	21,550	0.63%	5,150	0.56%
Texas	19,600	0.73%	88,950	0.66%	15,700	0.55%
Utah	1,350	0.42%	4,950	0.36%	800	0.30%
Vermont	450	0.67%	2,000	0.59%	550	0.53%
Virginia	5,150	0.62%	24,000	0.54%	5,200	0.49%
Washington	4,850	0.73%	23,150	0.62%	4,700	0.52%
West Virginia	750	0.44%	4,150	0.42%	1,200	0.38%
Wisconsin	2,700	0.49%	13,150	0.43%	3,250	0.39%
Wyoming	200	0.37%	1,000	0.32%	200	0.29%

Discussion

Our current best estimate of the percentage of adults who identify as transgender in the United States is double that of the estimate produced by Gary J. Gates in 2011. Several reasons may account for this difference. A perceived increase in visibility and social acceptance of transgender people may increase the number of individuals willing to identify as transgender on a government-administered survey. The Gates estimate was based on data from only two states with very small samples. The current study analyzes population-based data from 19 states that identify transgender individuals. This provides larger samples and a wealth of information about transgender-identified adults not previously available. As a result, more sophisticated estimation procedures are now possible that produce more detailed and robust estimates than were possible in 2011. As new data collection efforts emerge at the state and national levels, estimates can continue to be refined to improve our understanding of the size and characteristics of the transgender population.

Appendix: Methodology and Credible Intervals of Population Estimates

Methodology

The Behavioral Risk Factor Surveillance System (BRFSS) collects state-specific data on health-related factors across the 50 states, the District of Columbia, and the territories of the United States. The survey is designed to be representative within each state. The survey is conducted by an interviewer via landline and cellular telephone. The national response rate for the 2014 BRFSS was 48.7% for landline telephones and 40.5% for cellular telephones (American Association of Public Opinion Research, Response Rate calculation 4).

The BRFSS contains optional module questionnaires in addition to its standard questionnaire for each state.⁹ The 2014 BRFSS had 19 optional modules that states were able to opt-into. One of the modules contained the following question:

Do you consider yourself to be transgender?

Yes

No

[If Yes] Do you consider yourself to be male-to-female, female-to-male, or gender non-conforming?

If the interviewer is asked for a definition of transgender, they respond:

Some people describe themselves as transgender when they experience a different gender identity from their sex at birth. For example, a person born into a male body, but who feels female or lives as a woman would be transgender. Some transgender people change their physical appearance so that it matches their internal gender identity. Some transgender people take hormones and some have surgery. A transgender person may be of any sexual orientation – straight, gay, lesbian, or bisexual.

Since this question is included in an optional module, some states did not ask this question while others did. The 19 states that did ask this question include: Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Montana, Nevada, New York, Ohio, Pennsylvania, Vermont, Virginia, Wisconsin, and Wyoming. In total, 0.52% of BRFSS respondents in these states identified as transgender, and 151,456 respondents answered this question.

To estimate the population by state, we relied on multilevel regression and post-stratification.¹⁰ The method fits multilevel logistic regression to the data to predict the likelihood that an individual identifies as transgender relying on demographic attributes about the respondents (e.g., race and ethnicity; age cohorts; and educational attainment). State and regional characteristics were accounted for and state-level characteristics were included to add information about how states differ from one another (e.g., racial composition, median income, percentage of households that are of same-sex couples, and percentage of the population that identifies as Evangelical). This method has been applied to measure statewide political attitudes¹¹ and to measure Jewish populations.¹² Further, the estimation strategy has undergone rigorous evaluation by other scholars, and these evaluations often show the method produces reliable and valid estimates.¹³ While the estimation approach is not without its criticisms,¹⁴ the method remains the best available approach to perform this estimation procedure. A recent research grant was awarded by the National Science Foundation to further refine and build upon the method.¹⁵

We extend the application of the estimation technique by incorporating all of the states in the BRFSS, even though respondents in only 19 states received the gender identity question. By doing so, we impute the states that did not ask the gender identity question by modeling the probability that a respondent identifies as transgender. The hierarchical model still incorporates the statewide covariates to increase precision in the estimation.¹⁶ All models were estimated using a Hamiltonian Monte Carlo as implemented by the Stan probabilistic programming language.¹⁷ The model was evaluated for appropriate diagnostics before results were presented. In the tables below, 95% credible intervals are provided for both the population estimates and the population estimates by age. A credible interval is a Bayesian equivalent of a confidence interval. A 95% credible interval represents the upper and lower bounds where there is a 0.95 probability an estimate falls between them.

Table A1. Estimated Population of Adults Who Identify as Transgender by State of Residence, 95% Credible Intervals

STATE	POPULATION		PERCENT	
	LOWER BOUND	UPPER BOUND	LOWER BOUND	UPPER BOUND
United States of America	854,066	2,293,511	0.36%	0.95%
Alabama	11,487	46,858	0.31%	1.27%
Alaska	1,634	4,323	0.30%	0.80%
Arizona	17,137	53,889	0.35%	1.09%
Arkansas	6,898	25,072	0.31%	1.12%
California	120,074	378,513	0.42%	1.31%
Colorado	12,094	35,295	0.31%	0.89%
Connecticut	7,454	19,824	0.27%	0.71%
Delaware	3,195	6,176	0.45%	0.87%
District of Columbia	2,608	66,391	0.50%	12.63%
Florida	58,364	163,960	0.38%	1.07%
Georgia	31,243	97,981	0.42%	1.32%
Hawaii	6,310	11,215	0.58%	1.03%
Idaho	3,403	6,800	0.29%	0.58%
Illinois	30,519	77,228	0.31%	0.79%
Indiana	21,867	35,060	0.44%	0.71%
Iowa	4,558	10,398	0.19%	0.44%
Kansas	7,183	11,706	0.33%	0.54%
Kentucky	13,092	23,060	0.39%	0.69%
Louisiana	15,582	27,230	0.45%	0.78%
Maine	3,202	8,895	0.30%	0.84%
Maryland	17,177	28,088	0.38%	0.62%
Massachusetts	17,251	49,307	0.33%	0.94%
Michigan	19,132	52,059	0.25%	0.68%
Minnesota	19,368	30,211	0.47%	0.74%
Mississippi	6,731	27,122	0.30%	1.21%
Missouri	13,512	43,611	0.29%	0.94%
Montana	1,880	3,669	0.24%	0.47%
Nebraska	3,247	8,207	0.23%	0.59%
Nevada	8,570	18,018	0.41%	0.86%
New Hampshire	2,693	7,362	0.26%	0.70%
New Jersey	17,981	49,987	0.26%	0.73%
New Mexico	6,613	19,959	0.42%	1.27%
New York	57,043	103,813	0.37%	0.68%

STATE	POPULATION		PERCENT	
	LOWER BOUND	UPPER BOUND	LOWER BOUND	UPPER BOUND
North Carolina	26,299	76,786	0.35%	1.03%
North Dakota	961	2,785	0.18%	0.51%
Ohio	30,705	50,183	0.35%	0.56%
Oklahoma	9,049	37,798	0.31%	1.31%
Oregon	10,774	36,440	0.35%	1.20%
Pennsylvania	33,506	56,799	0.33%	0.57%
Rhode Island	2,493	6,979	0.30%	0.84%
South Carolina	12,139	38,343	0.33%	1.05%
South Dakota	1,279	3,592	0.20%	0.57%
Tennessee	16,601	60,319	0.33%	1.22%
Texas	71,791	212,200	0.38%	1.11%
Utah	3,338	16,157	0.17%	0.82%
Vermont	2,126	4,034	0.42%	0.80%
Virginia	26,945	44,697	0.43%	0.71%
Washington	18,574	57,196	0.35%	1.08%
West Virginia	3,518	10,477	0.24%	0.71%
Wisconsin	13,920	25,364	0.32%	0.58%
Wyoming	945	2,073	0.22%	0.47%

Table A2. Estimated Population of Adults Who Identify as Transgender by Age and State of Residence, 95% Credible Intervals

STATE	AGE					
	18-24		25-64		65 AND OLDER	
	POPULATION [L.B., U.B.]	PERCENTAGE [L.B., U.B.]	POPULATION [L.B., U.B.]	PERCENTAGE [L.B., U.B.]	POPULATION [L.B., U.B.]	PERCENTAGE [L.B., U.B.]
United States of America	[121,074, 354,454]	[0.39%, 1.13%]	[569,753, 1,649,712]	[0.34%, 1.00%]	[132,175, 360,271]	[0.31%, 0.84%]
Alabama	[1,624, 7,089]	[0.33%, 1.46%]	[7,630, 32,564]	[0.30%, 1.29%]	[1,868, 7,887]	[0.27%, 1.13%]
Alaska	[282, 806]	[0.35%, 0.99%]	[1,132, 3,210]	[0.28%, 0.81%]	[157, 434]	[0.25%, 0.69%]
Arizona	[2,562, 8,556]	[0.39%, 1.31%]	[11,120, 37,886]	[0.34%, 1.14%]	[2,708, 8,560]	[0.28%, 0.88%]
Arkansas	[966, 3,550]	[0.34%, 1.23%]	[4,614, 17,456]	[0.31%, 1.16%]	[1,185, 4,384]	[0.27%, 0.99%]
California	[18,464, 60,029]	[0.46%, 1.50%]	[83,407, 274,478]	[0.41%, 1.36%]	[15,871, 51,075]	[0.35%, 1.11%]
Colorado	[1,796, 5,616]	[0.35%, 1.10%]	[8,404, 25,994]	[0.30%, 0.92%]	[1,595, 4,612]	[0.26%, 0.76%]
Connecticut	[1,024, 2,942]	[0.30%, 0.86%]	[4,988, 14,281]	[0.26%, 0.74%]	[1,253, 3,458]	[0.24%, 0.65%]
Delaware	[451, 974]	[0.49%, 1.05%]	[2,061, 4,417]	[0.43%, 0.92%]	[541, 1,074]	[0.38%, 0.76%]
District of Columbia	[470, 11,880]	[0.57%, 14.48%]	[1,786, 47,078]	[0.48%, 12.65%]	[361, 9,351]	[0.51%, 13.10%]
Florida	[7,554, 23,144]	[0.42%, 1.29%]	[37,404, 114,026]	[0.37%, 1.14%]	[11,453, 32,341]	[0.33%, 0.92%]
Georgia	[4,847, 16,177]	[0.48%, 1.59%]	[21,496, 71,304]	[0.41%, 1.35%]	[4,147, 13,309]	[0.37%, 1.17%]
Hawaii	[845, 1,662]	[0.62%, 1.23%]	[4,005, 7,975]	[0.54%, 1.08%]	[1,088, 2,098]	[0.51%, 0.99%]
Idaho	[500, 1,087]	[0.32%, 0.69%]	[2,224, 4,882]	[0.28%, 0.61%]	[525, 1,068]	[0.25%, 0.50%]
Illinois	[4,255, 11,778]	[0.34%, 0.94%]	[20,559, 55,749]	[0.30%, 0.81%]	[4,668, 12,533]	[0.28%, 0.74%]
Indiana	[3,045, 5,579]	[0.46%, 0.84%]	[14,012, 25,792]	[0.41%, 0.76%]	[3,457, 5,802]	[0.39%, 0.65%]
Iowa	[656, 1,617]	[0.21%, 0.52%]	[2,963, 7,376]	[0.19%, 0.47%]	[841, 1,939]	[0.18%, 0.41%]
Kansas	[1,065, 1,978]	[0.36%, 0.66%]	[4,565, 8,465]	[0.31%, 0.58%]	[1,130, 1,919]	[0.29%, 0.49%]
Kentucky	[1,665, 3,374]	[0.39%, 0.80%]	[8,649, 16,904]	[0.37%, 0.73%]	[2,190, 3,949]	[0.36%, 0.64%]
Louisiana	[2,204, 4,371]	[0.46%, 0.92%]	[10,310, 20,236]	[0.43%, 0.84%]	[2,260, 4,181]	[0.38%, 0.71%]
Maine	[378, 1,146]	[0.32%, 0.98%]	[2,120, 6,268]	[0.29%, 0.87%]	[607, 1,739]	[0.27%, 0.77%]
Maryland	[2,303, 4,398]	[0.41%, 0.78%]	[11,347, 21,316]	[0.35%, 0.66%]	[2,461, 4,307]	[0.32%, 0.57%]
Massachusetts	[2,568, 7,807]	[0.37%, 1.13%]	[11,326, 34,087]	[0.31%, 0.95%]	[2,832, 8,391]	[0.30%, 0.88%]
Michigan	[2,655, 7,870]	[0.27%, 0.79%]	[12,593, 37,168]	[0.24%, 0.72%]	[3,240, 8,999]	[0.23%, 0.63%]
Minnesota	[2,541, 4,552]	[0.51%, 0.91%]	[12,539, 22,498]	[0.44%, 0.78%]	[3,043, 5,080]	[0.42%, 0.70%]

STATE	AGE					
	18-24		25-64		65 AND OLDER	
	POPULATION [LB, UB]	PERCENTAGE [LB, UB]	POPULATION [LB, UB]	PERCENTAGE [LB, UB]	POPULATION [LB, UB]	PERCENTAGE [LB, UB]
Mississippi	[1,009, 4,310]	[0.32%, 1.37%]	[4,490, 19,158]	[0.29%, 1.26%]	[1,036, 4,327]	[0.26%, 1.08%]
Missouri	[1,876, 6,423]	[0.32%, 1.08%]	[8,975, 30,421]	[0.29%, 0.97%]	[2,324, 7,535]	[0.26%, 0.85%]
Montana	[266, 572]	[0.27%, 0.58%]	[1,222, 2,592]	[0.23%, 0.49%]	[323, 650]	[0.21%, 0.41%]
Nebraska	[473, 1,264]	[0.25%, 0.68%]	[2,143, 5,820]	[0.23%, 0.61%]	[551, 1,389]	[0.21%, 0.54%]
Nevada	[1,135, 2,646]	[0.45%, 1.04%]	[5,889, 13,545]	[0.40%, 0.92%]	[1,150, 2,547]	[0.32%, 0.71%]
New Hampshire	[356, 1,067]	[0.28%, 0.85%]	[1,798, 5,237]	[0.25%, 0.72%]	[450, 1,244]	[0.23%, 0.64%]
New Jersey	[2,265, 6,732]	[0.29%, 0.86%]	[12,204, 36,508]	[0.25%, 0.76%]	[3,013, 8,517]	[0.24%, 0.68%]
New Mexico	[988, 3,255]	[0.46%, 1.53%]	[4,389, 14,044]	[0.41%, 1.32%]	[1,011, 3,160]	[0.34%, 1.07%]
New York	[7,732, 15,788]	[0.39%, 0.79%]	[37,363, 76,111]	[0.35%, 0.72%]	[9,137, 17,614]	[0.33%, 0.64%]
North Carolina	[3,765, 11,609]	[0.39%, 1.19%]	[17,757, 54,557]	[0.34%, 1.06%]	[4,194, 12,219]	[0.31%, 0.91%]
North Dakota	[170, 531]	[0.19%, 0.59%]	[593, 1,834]	[0.17%, 0.51%]	[170, 498]	[0.17%, 0.50%]
Ohio	[4,001, 7,561]	[0.36%, 0.68%]	[19,701, 36,836]	[0.32%, 0.61%]	[5,251, 9,125]	[0.31%, 0.54%]
Oklahoma	[1,351, 6,063]	[0.35%, 1.56%]	[6,026, 26,649]	[0.31%, 1.36%]	[1,438, 6,011]	[0.27%, 1.13%]
Oregon	[1,512, 5,190]	[0.41%, 1.42%]	[7,380, 25,644]	[0.35%, 1.22%]	[1,714, 5,934]	[0.30%, 1.02%]
Pennsylvania	[4,284, 8,404]	[0.34%, 0.67%]	[21,090, 40,686]	[0.31%, 0.60%]	[6,172, 10,959]	[0.30%, 0.54%]
Rhode Island	[389, 1,143]	[0.32%, 0.95%]	[1,608, 4,817]	[0.29%, 0.87%]	[424, 1,219]	[0.27%, 0.77%]
South Carolina	[1,784, 5,944]	[0.36%, 1.21%]	[7,977, 26,549]	[0.32%, 1.08%]	[1,963, 6,533]	[0.28%, 0.94%]
South Dakota	[188, 577]	[0.22%, 0.69%]	[827, 2,452]	[0.20%, 0.58%]	[217, 631]	[0.18%, 0.52%]
Tennessee	[2,220, 8,664]	[0.36%, 1.39%]	[11,036, 42,384]	[0.32%, 1.24%]	[2,740, 9,962]	[0.30%, 1.09%]
Texas	[10,763, 33,983]	[0.40%, 1.27%]	[49,965, 156,972]	[0.37%, 1.16%]	[8,906, 27,059]	[0.31%, 0.95%]
Utah	[617, 3,133]	[0.19%, 0.96%]	[2,244, 11,329]	[0.16%, 0.83%]	[385, 1,804]	[0.14%, 0.67%]
Vermont	[299, 629]	[0.46%, 0.96%]	[1,364, 2,844]	[0.40%, 0.84%]	[372, 745]	[0.38%, 0.75%]
Virginia	[3,798, 6,980]	[0.46%, 0.85%]	[17,590, 33,074]	[0.40%, 0.75%]	[3,987, 7,026]	[0.38%, 0.66%]
Washington	[2,662, 8,550]	[0.40%, 1.29%]	[12,748, 41,018]	[0.34%, 1.10%]	[2,655, 8,291]	[0.29%, 0.91%]
West Virginia	[427, 1,325]	[0.25%, 0.76%]	[2,347, 7,299]	[0.24%, 0.74%]	[687, 2,040]	[0.22%, 0.66%]
Wisconsin	[1,883, 3,799]	[0.34%, 0.69%]	[9,141, 18,414]	[0.30%, 0.61%]	[2,287, 4,434]	[0.28%, 0.54%]
Wyoming	[135, 328]	[0.23%, 0.57%]	[634, 1,509]	[0.21%, 0.49%]	[141, 308]	[0.19%, 0.41%]

*Note: LB=95% Lower bound; UB=95% Upper bound

ENDNOTES

- ¹ For a discussion of gender identity data collection in federal population-based surveys and recommended measures, see The GenIUSS Group. (2014). *Best Practices for Asking Questions to Identify Transgender and Other Gender Minority Respondents on Population-Based Surveys*. J.L. Herman (Ed.). Los Angeles, CA: The Williams Institute, available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/geniuss-report-sep-2014.pdf>.
- ² Gates, G.J. (2011). *How many people are lesbian, gay, bisexual, and transgender?* Los Angeles, CA: The Williams Institute, available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Gates-How-Many-People-LGBT-Apr-2011.pdf>. A more recent report that was released in March 2016 provided estimates of the transgender population ages 13 and above in 15 states ("Estimates of Transgender Populations in States with Legislation Impacting Transgender People, available at <http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/estimates-of-transgender-populations-in-states-with-legislation-impacting-transgender-people/>). These estimates were based on Gates' 2011 study and other estimates of the transgender youth population. We believe the current study provides more robust estimates of the percentage of transgender-identified adults in those 15 states.
- ³ A detailed description of the methodology for this study is included in the Appendix and further details will be included in a separate document published alongside this report.
- ⁴ For national and state estimates provided in this report, adult general population figures from the U.S. Census Bureau's American Community Survey, 2011-2013 3-year PUMS, were multiplied by the estimated percentage of transgender-identified adults to yield the estimated number of transgender-identified adults.
- ⁵ The District of Columbia is not included in this range for states. DC had a notably high percentage of transgender-identified adults (2.8%) and is considered an outlier due to its unique geographic (urban) and demographic profile.
- ⁶ See note #5.
- ⁷ See note #5.
- ⁸ See, for instance, Conron, K.J., Scott, G., Stowell, G.S., and Landers, S. J. (2012). Transgender Health in Massachusetts: Results from a Household Probability Sample of Adults. *American Journal of Public Health, 102*(1), 118-122.
- ⁹ For more detailed information on gender identity data collection in the BRFSS, see Baker, K.E. & Hughes, M. (2016). *Sexual Orientation and Gender Identity Data Collection in the Behavioral Risk Factor Surveillance System*. Washington, DC: The Center for American Progress, available at <https://cdn.americanprogress.org/wp-content/uploads/2016/03/29090401/BRFSSdatacollect-brief-03.31.16.pdf>.
- ¹⁰ Park, D.K., Gelman, A., & Bafumi, J. (2004). Bayesian multilevel estimation with poststratification: State-level estimates from national polls. *Political Analysis, 12*, 375-385.
- ¹¹ Flores, A.R., & Barclay, S. (2015). *Trends in public support for marriage for same-sex couples by state*. Los Angeles, CA: The Williams Institute, UCLA.
- ¹² Saxe, L., & Tighe, E. (2013). Estimating and understanding the Jewish population in the United States: A program of research. *Contemporary Jewry, 33*(1), 43-62; Tighe, E., Livert, D., Barnett, M., & Saxe, L. (2010). Cross-survey analysis to estimate low-incidence religious groups. *Sociological Methods & Research, 39*(1), 56-82.
- ¹³ Lax, J.R., & Phillips, J.H. (2009). How should we estimate public opinion in the states? *American Journal of Political Science, 53*(1), 107-121; Warshaw, C., & Rodden, J. (2012). How should we measure district-level public opinion on individual issues? *Journal of Politics, 74*(1), 203-219.
- ¹⁴ Buttice, M.K., Highton, B. (2013). How does multilevel regression and poststratification perform with conventional national surveys? *Political Analysis, 21*(4), 449-467; Toshokov, D. (2015). Exploring the performance of multilevel modeling and poststratification with Eurobarometer data. *Political Analysis, 23*(3), 455-460.
- ¹⁵ NSF-1424962 (2014-2017). Using multilevel regress and post-stratification to measure and study dynamic public opinion.
- ¹⁶ See Flores, A.R. (2016). *Estimating the adult population that identifies as transgender in the BRFSS*. Los Angeles, CA: The Williams Institute, UCLA.
- ¹⁷ Stan Development Team. (2016) RStan: The R interface to Stan, version 2.9.0. <http://mc-stan.org>.

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Exhibit G

**Exhibit G to Borelli Decl.: Human Rights Campaign Foundation,
*Anti-transgender Legislation Spreads Nationwide, Bills Targeting
Transgender Children Surge (Feb. 19, 2016)***



ANTI-TRANSGENDER LEGISLATION SPREADS NATIONWIDE, BILLS TARGETING TRANSGENDER CHILDREN SURGE

44 anti-transgender bills are filed in 16 states so far. Several pose serious threats of passage. 23 target children.

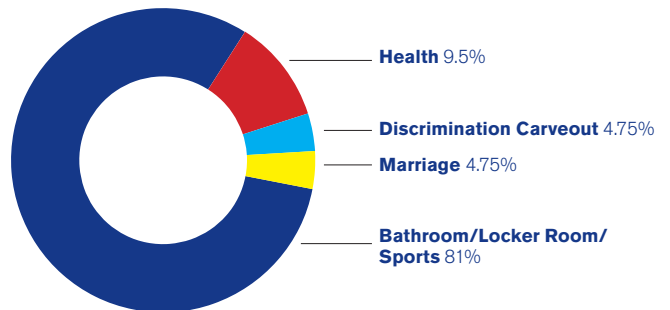
Winning over hearts and minds has always been crucial in winning the fight for equality for LGBT Americans, and the anti-transgender fear-mongering manifested by this wave of anti-transgender legislation is a stark reminder of how much work remains to be done in educating Americans about who transgender people are. The Human Rights Campaign will continue to work with our state and national partners to vigorously oppose and defeat anti-equality legislation and to advance critically needed protections at the state and federal level for all LGBT people.

In many ways, 2015 was a great year for transgender people — so great, in fact, that some dubbed it a “transgender tipping point,” due to the increased level of public awareness surrounding trans issues. Tragically, there was also an increased level of anti-transgender violence, particularly targeting transgender women of color. In 2015, at least 21 transgender people were victims of fatal violence in the United States — more killings of transgender people than any other year on record. Hard-fought losses at the ballot box emboldened opponents to export their transphobic smear campaign to other places. And state legislatures across the country unleashed a slew of anti-transgender bills trying to stem the tide of rising social and legal acceptance of transgender people. **While none of these measures passed in 2015, the 2016 state legislative season threatens far worse.**

2015

125 TOTAL BILLS TRACKED, 21 OF WHICH WERE ANTI-TRANS:

17 bathroom/locker room/sports,
2 health (including prisoner healthcare),
1 anti-trans marriage, and
1 discrimination carveout.



DATA AS OF 2.19.16

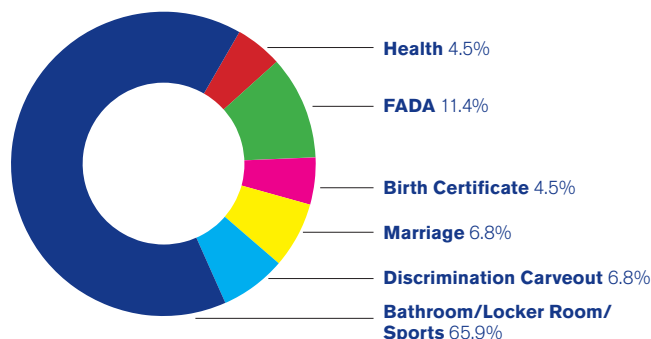


The quantity and diversity of this year's legislative attempts to undermine the existing legal rights of transgender Americans, particularly transgender and gender nonconforming students, is unprecedented. **Until this year, 2015 had the largest quantity of anti-LGBT and specifically anti-transgender bills state legislatures had ever seen:** HRC tracked 125 anti-LGBT bills, 21 of which particularly targeted transgender people. These ranged from bills limiting transgender people's access to medically necessary gender-affirming care, to attempting to undo existing non-discrimination provisions related to transgender people, to placing a serious burden on transgender people's fundamental constitutional right to marry the person they love. Most of all, however, the bills — 17 of them, more than 80% — attempted to deny transgender people access to sex-segregated spaces consistent with their gender identity. None of these 21 bills passed, and only a few survived to be rolled over into the 2016 legislative session.

2016

175+ TOTAL BILLS TRACKED, 44 SO FAR ARE ANTI-TRANS:

- 29 bathroom/locker room/sports,
- 2 health (including prisoner healthcare),
- 3 anti-trans marriage,
- 3 discrimination carveout,
- 2 birth certificate, and
- 5 FADAs.



DATA AS OF 2.19.16

As outrageous as the level of the 2015 legislative season's attacks on transgender people was, 2016 is already proving to be far worse. **A stunning 175+ anti-LGBT bills have been filed so far this year in 32 states.** These bills range from attempts to turn back the clock on marriage equality to bills creating a license to discriminate against same-sex couples with taxpayer dollars to protecting those who peddle the discredited, abusive practice of so-called "conversion therapy". These bills would harm transgender people as well as lesbian, gay and bisexual people, of course. But of the record 175+ anti-LGBT bills filed, 44 of those bills directly target transgender people. And this year, several of these bills present serious threats of becoming law.

44 anti-transgender bills is more than double the number of bills filed in last year's legislative session, and this year's attacks come in more varieties than they have before. In addition to the bills similar in kind to those we've seen previously — bills attempting to limit transgender people's access to medically necessary care, bills imposing serious, humiliating burdens on transgender people who seek to marry, bills trying to undo existing non-discrimination provisions related to transgender people, and the staggering 29 bills introduced to attempt to limit of transgender people from equal access of sex-segregated spaces — there are two new variations on the anti-transgender legislation theme. Legislation making it effectively impossible to correct the gender marker on one's birth certificate has surfaced in two states, and four states have expanded the scope of their so-called "First Amendment Defense Act" (FADA) bills to permit publicly funded programs to refuse service on the basis of "sincerely-held religious beliefs" that a person's gender is determined by their anatomy at the time of birth. **Unfortunately, these mean-spirited and truly harmful bills are advancing and have realistic chances of becoming law.**

The proliferation of these bills is deeply disturbing. They are popping up in states around the country, in the Northeast, Midwest, South and West; in states with gender-identity inclusive non-discrimination laws and those without;

44 anti-transgender bills is more than double the number of bills filed in last year's legislative session, and this year's attacks come in more varieties than they have before.



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and in states led by Democrats and Republicans. While they are undoubtedly attempts to roll back the clock on equality, they are deeply misguided: some of these bills would, if passed, put states directly at odds with federal law. Many of them would also conflict with other important state laws on the books. And they do so in an effort to address a phantom problem born of fear and a lack of understanding about transgender people. One legislator justified his support of an anti-trans bill in his state by characterizing transgender people as “twisted” — so battling back these bills is really about continuing to tip the scales toward the true tipping point for transgender Americans. An encapsulation of the anti-transgender legislation we’ve seen so far this legislative season is as follows.

SEX-SEGREGATED SPACES: TALKING ABOUT PRIVACY IN PUBLIC PLACES

Of the explicitly anti-transgender bills under consideration during this legislative session, the vast majority of them have to do with forbidding transgender people from having equal access to bathrooms, locker rooms, and other multi-user facilities in which people are likely to be in some state of undress. Over half of these anti-equal access “bathroom” bills expressly address bathrooms and locker rooms in primary and secondary schools, with several also addressing public institutions of higher learning. About a third of the bills apply to all multi-user bathrooms and similar facilities in the state. A few of the bills apply to buildings owned by the state government, and two bills relate exclusively to school sports. Each of these proposals attempt to restrict where transgender students and adults fit in spaces that are often designated by sex.

These bills are problematic in a number of ways, including that they put the physical and emotional safety of transgender people at risk. If a transgender person is forced to access the sex-segregated space that aligns with their assigned sex at birth, rather than the space that aligns with their authentic sense of self and likely their personal appearance, that person can become a target for attack and physical abuse.

Forcing transgender students to use sex-segregated facilities contrary to their identity can impose real harm on transgender students.

SCHOOLS. 23 of the 44 anti-transgender bills filed this year are leveled at transgender children in schools and playing school sports. Research has shown that allowing transgender students to access the space consistent with their gender identity — something compelled for years by laws in 17 states as well as adopted by hundreds of cities and school districts around the country — have not resulted in problems. On the other hand, forcing transgender students to use sex-segregated facilities contrary to their identity can impose real harm on transgender students. The only students at risk in this discussion are transgender students — not the other students who may also be accessing the sex-segregated space.

These state bills also put schools in a conundrum. Title IX, the federal civil rights law that prohibits discrimination in education, has been interpreted by the federal government to include discrimination protections on the basis of gender identity — and there’s explicit federal guidance to clarify that includes restrooms and locker rooms. That means these student-focused bathroom bills put schools in an untenable position: if they comply with state law, they will be running afoul of federal law and therefore risk losing their federal funding. Either way, these bills set states up for expensive litigation.

Several of these bills also offer what they characterize as a “reasonable accommodation” — that a transgender student be restricted to the use of a single-stall facility (which may or may not exist or be anywhere near where the classrooms are) or given limited access to a faculty facility (which also presents a host of logistical concerns). But even if these alternatives were convenient, forcing a transgender student to be isolated from their peers and sent to a separate facility is humiliating and degrading for the student. To be



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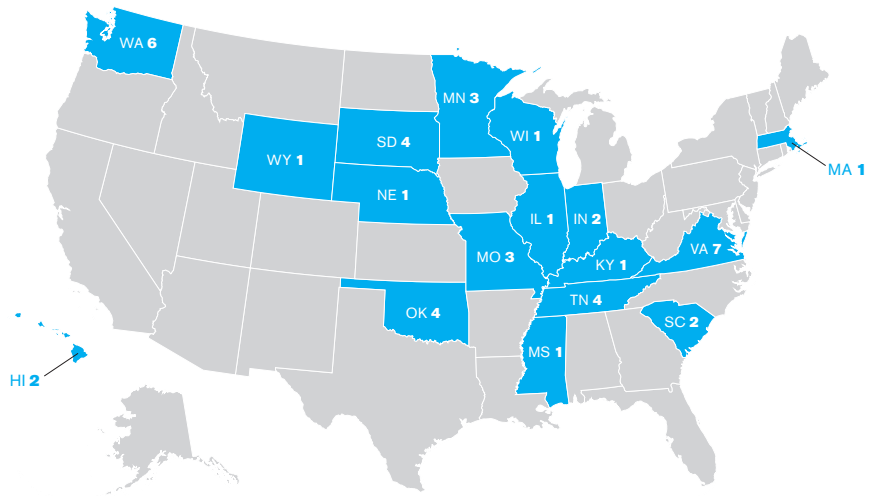
clear, compelling a student to use these separate facilities is neither reasonable nor an accommodation. It is simply thinly veiled, federally prohibited discrimination.

SPORTS. The principles outlined above also apply to sports — a person should not be forced to participate in a sex-segregated activity, such as many school sports, in a manner inconsistent with their authentic sense of self. The longstanding gender divide in sports sometimes prompts questions about where transgender students fit in, but major sporting associations — including the International Olympic Committee — have recognized those questions are easily resolved and have adopted gender-identity inclusive non-discrimination policies. Where state legislators attempt to override the decisions of local sporting entities who have determined they will move forward with a policy that respects transgender students, they are meddling contrary to the best interests of the students, the sport’s governing body and athletics as a whole.

RESTROOMS IN PUBLIC PLACES — FROM THE COFFEE SHOP TO CITY HALL. About a third of the anti-equal access “bathroom” bills under consideration in state legislatures would apply to all multi-user restrooms, locker rooms, and similar facilities within the state. Most people use public facilities on a daily basis at work and school, and at restaurants and other public places without a second thought. However, every day, too many transgender people are forced to choose between this most basic need and avoiding harassment or intimidation. Transgender people often go to great lengths to avoid using the bathroom or to seek out single-occupancy facilities rather than risk their safety by using facilities contrary to their identity and gender expression, and bills that force them to use such facilities are hugely damaging. Some of the bills proposed this session would, if passed, impose criminal penalties upon a transgender person who accessed a sex-segregated space consistent with their identity. Another would condition access to such a space based on whether or not they’ve had surgery — a deeply personal matter which a person should not need to discuss publicly and which, given that restrooms have stalls for privacy, is totally irrelevant. Occupants of a restroom have no right to know anything about the genitalia of the other occupants. Indecent exposure, sexual assault or any other illegal activity is criminal and should be punished accordingly — but those safety issues are wholly unrelated to equal access to bathrooms. The lawmakers behind these anti-equal access bills claim to be addressing safety concerns, but these are a red herring: rather, they are simply perpetuating fear and misunderstanding about transgender people.

DATA AS OF 2.19.16

2016 ANTI-TRANS BILLS



FADA: SINCERELY HELD RELIGIOUS BELIEF THAT SEX IS BIOLOGICAL?

This legislative season has seen a new type of anti-transgender legislation emerge: it is a variation of a so-called “First Amendment Defense Act” (FADA) that protects a person or agency from the normal consequences of engaging in prohibited discrimination if the person or agency discriminating is doing so as a result of a sincerely held religious belief or moral conviction. In this context, the person or agency discriminating can be a public official, a person working at a public agency, or a private individual or agency who receives funds, licensing, or other recognition or benefits from the state — and who would stand to lose that recognition or benefits due to discriminatory behavior.



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Generally, these FADA bills have been designed to defend those who have religious beliefs opposing same-sex marriage and whose failure to serve same-sex couples would put their ongoing benefit or recognition from the state in jeopardy. This year, some of these bills additionally include a new provision which would also exempt people from the consequences of discrimination if they have a belief or conviction that there are “distinct and immutable biological sexes that are determined by anatomy and genetics at the time of birth.”

The consequences of allowing recipients of public funds to discriminate with taxpayer dollars are simply unacceptable, as is interfering with a state's ability to rescind the license of a professional engaging in malpractice. These FADA bills are both radical and harmful to the LGBT community — and these new, explicitly anti-transgender provisions put a particularly fine point on the anti-LGBT animus motivating these bills.

PREEMPTION BILLS: IF WE SAY NO TO EQUALITY, YOU HAVE TO SAY NO, TOO

Hundreds of cities, counties and school districts around the country have taken action to extend non-discrimination protections of their own volition where the state has been slow or refused to act. In some situations — like a school board working to comply with Title IX by adopting a policy of non-discrimination against lesbian, gay, bisexual or transgender students — the entities are responding to critically important external stakeholders. For cities and counties, the voices calling for these vital non-discrimination protections are businesses, chambers of commerce and community leaders who know that treating people fairly is a requirement for a city or county to be able to attract and retain top talent. But state legislatures who would rather turn the clock back on equality are increasingly turning to laws that usurp the abilities of these local jurisdictions to pass such laws. Several state legislatures this year are considering these bills in several permutations. While these can appear more benign than the flagrantly anti-transgender “bathroom” bills, they have the same effect — or are sometimes even worse. They also similarly put schools in a situation where they have to choose between abiding by state law or forfeiting their federal funding and risking a federal lawsuit. By meddling in local affairs they also take away local jurisdictions' ability to decide what is in their own best interest.

State legislatures who would rather turn the clock back on equality are increasingly turning to laws that usurp the abilities of these local jurisdictions to pass such laws.

THEY'RE CALLED “PRIVATE” PARTS FOR A REASON

One of the most unfortunate themes in the slate of anti-transgender bills introduced across the country this legislative season has been an emphasis on euphemistically describing — and writing into state law — the current or former state of transgender people's genitals. Some bills try to chastely allude to “chromosomes” or “deoxyribonucleic acid” (DNA) — disregarding that few people have tested their own DNA to know for sure what chromosomes they have — while the more coarse bills use the colorful descriptors “anatomical sex” or “biological sex”. These bills insist that sex is as determined at birth and as recorded on a birth certificate. Others go even further, insisting that if a birth certificate is going to be accepted by a government agency for any reason (such as a school using a birth certificate to determine age), it must be accepted as the final word on all matters (such as mandating that transgender students must play sports based on their sex assigned at birth). Another bill would overturn existing state law to mandate that a sex designation on a birth certificate could only be changed in the case of a typographical error.

These laws lead to an invasion of privacy for all people.



These laws lead to an invasion of privacy for all people — in fact, one legislator revised his anatomy-based bill after outcry that it would require inspections by adults of all children’s bodies before they were allowed to use school restrooms and locker rooms. Further, most people would consider it to be outrageous and unacceptable to be asked to describe their genitals to a stranger — be that stranger a clerk issuing marriage licenses, a proprietor engaged in gender-policing their customers, or a middle-school classmate. And yet these offensive bills all require this kind of disclosure of transgender people in various ways.

Reducing any person to a description of their genitals is offensive and absurd. People are more complex than what can be determined in the first moments after birth, and imposing some unchangeable measure of who people are based on a description of their genitals is as foolish as it is reductive. Regulations like these have no place in state law.

MEAN-SPIRITED AND OUTDATED: ANTI-TRANSGENDER MARRIAGE BILLS

In a year with an unprecedented number of anti-LGBT bills, perhaps it is no surprise that many of those proposals are in response to states being forced to grapple with marriage by same-sex couples. Unfortunately, some of these expressly target transgender people who seek to marry. One bill would require an applicant for a marriage license to disclose whether they’d ever undergone “a sex reassignment,” and then would print the answer on the marriage license when issued. Another would require a “husband” to be a “natural-born male as defined by the person’s original certificate of birth” and a wife to be a “natural-born” female, also according to her original birth certificate. The first bill would result in a humiliating and wholly unnecessary invasion of privacy; the second, which may be an ill-conceived attempt to circumvent marriage equality, would result in making marriage by transgender people difficult or even impossible. These legislatures are fighting a battle about marriage that they have already lost, and they are continuing to try to place burdens on people exercising their fundamental constitutional right to marry.

STATE INTERFERING WITH MEDICALLY NECESSARY CARE

A smaller number of bills are targeting a critically important concern: they are limiting transgender people’s access to medically necessary healthcare. Whether it be through doubling down on existing exemptions around transition-related care that appear in state disability law, or in trying to avoid financial responsibility for medically necessary care for inmates of the state, states continue to defy medical best practices in excluding transgender people from access to healthcare services they need.

DATA AS OF 2.19.16

2015–2016 ANTI-TRANS BILLS

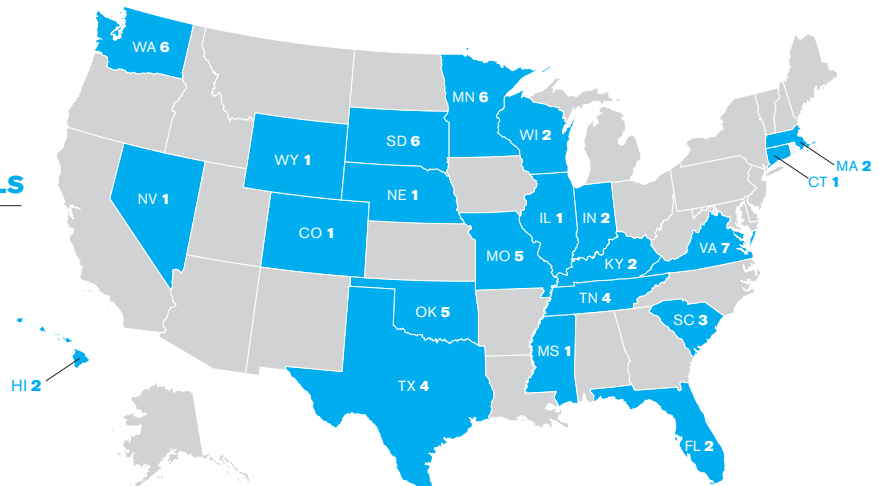


Exhibit H

Exhibit H to Borelli Decl.: Kyra Gurney, MIAMI HERALD, *Miami-Dade and Broward schools to keep protections for transgender students* (Feb. 23, 2017)



EDUCATION

FEBRUARY 23, 2017 5:38 PM

Miami-Dade and Broward schools to keep protections for transgender students

BY KYRA GURNEY

kgurney@miamiherald.com

The Miami-Dade and Broward school districts plan to keep protections for transgender students in place despite a change in federal policy.

On Wednesday, the Trump administration announced an end to federal protections that allowed transgender students to use school bathrooms and locker rooms based on their gender identity. The administration is now leaving it up to states and school districts to determine such policies, lifting Obama-era federal guidelines that directed schools to treat students according to their gender identity, rather than their biological sex, or risk losing federal funds.



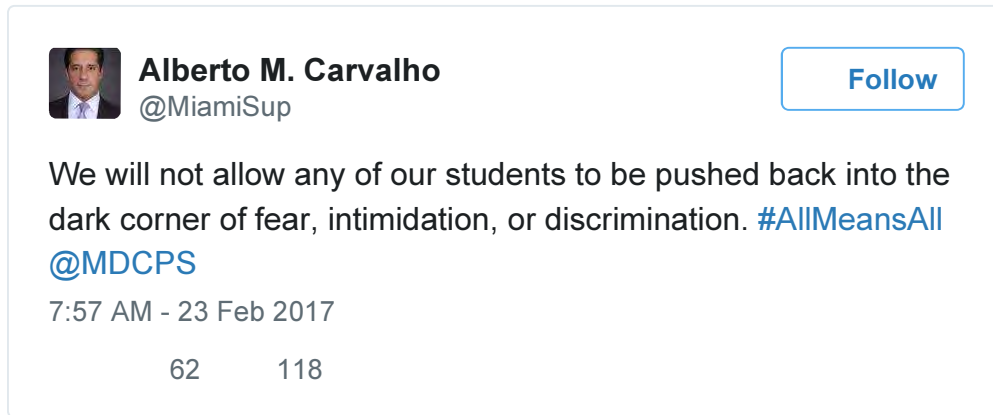
White House says "everyone is agreed" upon conclusions regarding transgender bathrooms

At the daily White House press briefing, Press Secretary Sean Spicer answered a question regarding the conflicts in the White House over a change to policy regarding transgender bathrooms in schools and other government buildings.

White House

ADVERTISING

In South Florida, school administrators say LGBTQ students do not need to worry. Transgender students in Miami-Dade and Broward are still protected under the districts' anti-discrimination policies, which were put in place before the Obama administration issued its directive last year.



“We will not allow any of our students to be pushed back into the dark corner of fear, intimidation, or discrimination,” Superintendent Alberto Carvalho said in a tweet.

The Miami-Dade school district meets with transgender students, their parents, school counselors and administrators to determine the best option in each individual case for bathroom use and other issues. “Our schools have been accommodating students on a case-by-case basis for many years, so it is unlikely that any type of impact would be experienced from any changes announced at the federal level,” said district spokeswoman Daisy Gonzalez-Diego.

The Broward school district also allows transgender students to use the bathrooms and locker rooms that match their gender identity and directs schools to make other accommodations, a policy they plan to keep.

“We have a moral obligation and a responsibility to protect all students from discrimination, bullying and harassment,” Broward Superintendent Robert Runcie said during a press conference on Thursday afternoon. “The bottom line for Broward County is that we will continue to respect, value and support the needs of our diverse students.”

At the county level, Miami-Dade vowed to continue protecting transgender residents. Mayor Carlos Gimenez said that the current protection policies, passed in 2014, would remain in effect. “We are an inclusive community, and have policies in place to protect our LGBT residents,” he said in a statement.

Kyra Gurney: 305-376-3205, @KyraGurney



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Exhibit I

Exhibit I to Borelli Decl.: *Dep't of Fair Emp't & Hous. v. Am. Pac. Corp.*, No. 34-2013-00151153, Order

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SACRAMENTO
GORDON D SCHABER COURTHOUSE**

MINUTE ORDER

DATE: 03/13/2014

TIME: 02:00:00 PM

DEPT: 53

JUDICIAL OFFICER PRESIDING: David Brown

CLERK: E. Brown

REPORTER/ERM:

BAILIFF/COURT ATTENDANT:

CASE NO: **34-2013-00151153-CU-CR-GDS** CASE INIT.DATE: 09/09/2013

CASE TITLE: **Department of Fair Employment and Housing vs. American Pacific Corporation**

CASE CATEGORY: Civil - Unlimited

EVENT TYPE: Hearing on Demurrer - Civil Law and Motion - Demurrer/JOP

APPEARANCES

Nature of Proceeding: Ruling on Submitted Matter (Hearing on Demurrer) taken under submission on 3/11/2014

TENTATIVE RULING

Defendant American Pacific Corp.'s ("AMPAC") Demurrer to Plaintiff Dept. of Fair Employment and Housing's ("DFEH") Complaint is OVERRULED.

Plaintiff DFEH's complaint alleges three causes of action against defendant AMPAC: the 1st for Discrimination based on Sex, Gender, Gender Identity, and Gender Expression (Gov. Code § 12940(a)), the 2nd for failure to prevent Discrimination based on Sex, Gender, Gender Identity, and Gender Expression (Gov. Code § 12940 (k)) and the 3rd for Failure to Take All Reasonable Steps to Prevent Discrimination based on Sex, Gender, Gender Identity, and Gender Expression (Gov. Code, § 12940(k)).

It is alleged that Plaintiff DFEH is the state agency charged with enforcing the Fair Employment and Housing Act ("FEHA") (Gov. Code, § 12900 et seq.) and is authorized by Government Code section 12965 to file civil complaints in its own name and on behalf of real parties in interest aggrieved by discriminatory employment practices. DFEH's enforcement of the FEHA implements the public policy of the State of California, to protect the civil rights of all Californians to seek, obtain, and hold employment without discrimination because of sex, gender, gender identity or gender expression. (Gov. Code, § 12920). (Compl., para. 2)

Real Party in Interest Lozano is a transgender female to male. Lozano presented as male to AMPAC and received an employment offer as an Operations Technician from AMPAC. After accepting the position, he was required to complete background check forms and he disclosed to AMPAC's Human Resources department that he was in transition to male from his assigned gender birth identity (female). He did not have any legal or medical documentation to reflect his gender change.

AMPAC expressed concern about Lozano's use of the men's locker room and restroom, since he had not had sex reassignment surgery. AMPAC asked Lozano about delaying his employment start date until after he had completed sex reassignment surgery.

DATE: 03/13/2014

MINUTE ORDER

Page 1

DEPT: 53

Calendar No.

Lozano explained that as a trained firefighter, he had successfully worked in similar situations in the past, and had never been questioned about his use of the men's restroom or shower.

As alleged, AMPAC required that Lozano use the female locker room and restroom facilities until his gender transition to male was "complete" after sex reassignment surgery.

Demurrer to the 1st for Discrimination based on Sex, Gender, Gender Identity, and Gender Expression (Gov. Code § 12940(a)) is OVERRULED.

FEHA makes it an unlawful employment practice for an employer, because of the sex, gender, gender identity or gender expression, to discriminate against any person in terms, conditions, or privileges of employment. Govt. Code § 12940(a).

In construing statutes, the court's "fundamental task is 'to ascertain the intent of the lawmakers so as to effectuate the purpose of the statute.' We begin by examining the statutory language because it generally is the most reliable indicator of legislative intent. We give the language its usual and ordinary meaning, and '[i]f there is no ambiguity, then we presume the lawmakers meant what they said, and the plain meaning of the language governs. If, however, the statutory language is ambiguous, 'we may resort to extrinsic sources, including the ostensible objects to be achieved and the legislative history.' Ultimately we choose the construction that comports most closely with the apparent intent of the lawmakers, with a view to promoting rather than defeating the general purpose of the statute." (*Mays v. City of Los Angeles* (2008) 43 Cal. 4th 313, 321.) Moreover, courts do not sit as super-legislatures to determine the wisdom, desirability or propriety of statutes enacted by the Legislature. (*Estate of Horman* (1971) 5 Cal.3d 62, 77).

Moving party Defendant AMPAC asserts that the demurrer to the discrimination claim should be sustained because the FEHA does not prohibit restroom and locker room use based on biological gender. The parties agree that there is no published California case law addressing these facts, thus this is a case of first impression in California.

Moving party cites to out of state statutes and case law in support of its position. Defendant cites to the Minnesota's Human Rights Act ("MHRA") prohibits discrimination with "respect to conditions, facilities, or privileges employment" on the basis of "sexual orientation." (Minn. Stat. § 363A.08, subd. 2(3) and *Goins v. West Group* (Minn. 2001) 635 N.W.2d 717, in which the Minnesota Supreme Court concluded that an employer did not violate the MHRA's protection of gender "self- image or identity" by designating employee restroom use based on biological gender. Additionally, defendant cites to New York State law in *Hispanic AIDS Forum v. Estate of Bruno* (N.Y. App. Div. 2005) 16 A.D.3d 294, where a non-profit tenant claimed its landlord violated the New York State Human Rights Act and the New York City Human Rights Act because the landlord refused to execute a lease renewal because the tenant's transgender clients were using the common area restrooms that did not coincide with their biological gender.

In opposition, plaintiff DFEH asserts that this Court need not look to out-of-state law, as the language of Govt. Code § 12940(a) is clear and unambiguous on its face. Of course, in interpreting statutes, the court begins with the plain, commonsense meaning of the language used by the Legislature; if the language is unambiguous, the plain meaning controls. *Surfrider Foundation v. California Regional Water Quality Control Board, San Diego Region*, (2012) 211 Cal. App. 4th 557; *Polster v. Sacramento County Office of Education*, (2009) 180 Cal. App. 4th 649, 663.

The relevant language reads: "It is an *unlawful employment practice*, unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California: (a) *For an employer, because of the . . . sex, gender, gender*

identity, gender expression, age, sexual orientation . . . of any person, to refuse to hire or employ the person or . . . to discriminate against the person in compensation or in terms, conditions, or privileges of employment." Govt. Code § 12940.

The Legislature amended the FEHA in 2003 and 2011 to clarify and expand the definition of gender. It specifically added "gender identity" and "gender expression" as protected classes in 2011. (Assembly Bill 887 (2011-2012 Reg. Sess.); Defs. Request for Judicial Notice, Exh. 9.) The author of AB 887 noted "[n]early 70% of transgender Californians have experienced discrimination or harassment at work." (Assem. Com. on Judiciary, Rep. on Assem. Bill. No. 887 (2011-2012 Reg. Sess.) Mar. 29, 2011, p.3, DFEH RJN at Exh. B.) A legislator's statement is entitled to consideration when it is a reiteration of legislative discussion and events leading to adoption of proposed amendments rather than merely an expression of personal opinion. (*California Teachers Assn. v. San Diego Community College Dist.* (1981) 28 Cal. 3d 692, 699-701; *In re Marriage of Bouquet* (1976) 16 Cal. 3d 583, 589-590.) Nonetheless, at the end of the day, the ultimate interpretation of a statute is an exercise of the judicial power conferred upon the courts by the Constitution and, in the absence of a constitutional provision, cannot be exercised by any other body. *Yamaha Corp. of Am. v. State Bd Of Equalization* (1998) 19 Cal. 4th 1, 7. AB 887 was introduced to "reduce confusion among those who bear the responsibility of ensuring that current anti-discrimination laws are enforced." (*Id.* at 2.) AB 887 clarified the definition of gender in numerous anti-discrimination laws, including the FEHA and Education Code sections 200 and 220, to expressly include the terms "gender identity" and "gender expression" where only the term "gender" previously appeared. (*Ibid.*)

Gender identity "refers to a person's deeply felt internal sense of being male or female." (*Id.* at 3.) Gender expression "refers to one's behavior, mannerisms, appearance, and other characteristics that are perceived to be masculine or feminine." (*Ibid.*)

Because many schools did not understand their obligations to transgender students, the Education Code, sec. 221(f) was amended to require that "a pupil be permitted to participate in sex-segregated school programs, activities, and facilities including athletic teams and competitions, consistent with his/her gender identity, regardless of the gender listed on the pupil's records."

Defendant contends that the Legislature's amendment of the Education Code, through AB 1266, to allow transgender students to use facilities corresponding to their gender identity must be understood to exclude this requirement from FEHA, which was not amended in the same manner. When a statute contains a particular provision, the omission of that provision from similar statutes on the same or a related subject reveals a different intent. *City of Dublin v. County of Alameda* (1993) 14 Cal. App. 4th 264, 280.

As plaintiff and amici explain, the AB 1266 amendment to the Education Code restates and clarifies existing nondiscrimination law, to provide guidance to school districts to ensure their compliance with existing law; *it did not change the existing anti-discrimination laws.*

Where more than one statutory construction is arguably possible, California's policy has long been to favor the construction that leads to the more reasonable result, considering the consequences that will flow from a particular interpretation and avoiding a construction that would lead to unreasonable, impractical or arbitrary results. *Bernard v. City of Oakland* (2012) 202 Cal. App. 4th 1553, 1567.

Here, defendant contends that the more reasonable interpretation of FEHA is, absent a regulation or legislation specifically stating otherwise, that restrooms and locker rooms can be separated by biological gender.

The DFEH asserts that the California non-discrimination statutes must be construed together to achieve

a uniform legislative purpose. If discrimination based on gender identity and gender expression is interpreted differently in the FEHA than in the Education Code, a female to male transgender high school student could be faced with a situation where he uses the male restroom/locker room at school, but must use the female restroom/locker room at his after-school job. Such inconsistent results are not compatible with the Legislature's intent.

Plaintiff DFEH further asserts that this Court must accord great respect to its interpretation of the statute, as it is the administrative agency charged with enforcing the FEHA statutes. "While the ultimate interpretation of a statute is an exercise of the judicial power, when an administrative agency is charged with enforcing a particular statute, its interpretation of the statute will be accorded great respect by the courts and will be followed if not clearly erroneous." *Giles v. Horn* (2002) 100 Cal. App. 4th 206, 220.

Plaintiff DFEH asserts that although the Court need look no further than California law, other jurisdictions in other states have found that denying transgender people the right to use gender identity appropriate facilities violates nondiscrimination laws (citing Iowa, Washington, Colorado, District of Columbia, New York City and Federal agency authorities.)

The *Goins* case from Minnesota relied upon by moving party is distinguishable, as there the employer did not require the employee to use the restroom of her assigned birth sex, but to use a single occupancy restroom.

Defendant's hypothetical assertions of emotional discomfort about sharing facilities with transgender individuals are no different than similar claims of discomfort in the presence of a minority group, which formed the basis for decades of racial segregation in housing, education, and access to public facilities like restrooms, locker rooms, swimming pools, eating facilities and drinking fountains. (See, e.g., *Wyatt v. Adair* (Ala. 1926) 110 So. 801, 803-04.)

Defendant speculates that under the DFEH's interpretation of the FEHA, "a male employee need only claim a female gender identity and the employer must permit him to shower, disrobe, and perform bodily functions with female coworkers." These claims are not currently before the Court. Individuals who claim a different gender from day to day, or who do so simply to be disruptive or to sexually harass other employees, do not meet the definition of transgender.

The Court is satisfied that the plaintiff has pled sufficient facts to state a cause of action for employment discrimination.

Demurrer to the 2nd and the 3rd for failure to prevent discrimination based on sex, gender, gender identity, and gender expression (Gov. Code, § 12940(k) are OVERRULED.

As the demurrer to these causes of action depends upon the sustaining of the demurrer to the 1st cause of action, the Court must overrule the demurrers on the same basis.

Defendant shall file and serve its Answer to the Complaint not later than Friday, March 21, 2014.

The minute order is effective immediately. No formal order pursuant to CRC Rule 3.1312 or further notice is required.

COURT RULING

The matter was argued and submitted. The matter was taken under submission

Having taken the matter under submission on 3/11/2014, the Court now rules as follows:

SUBMITTED MATTER RULING

The Court affirms the Tentative Ruling with the following additional comment:

Defendant AMPAC has submitted to the Court a request pursuant to Code of Civil Procedure 166.1. The request is denied. AMPAC is not, of course, precluded from seeking interlocutory appellate review if it desires to do so.

Declaration of Mailing

I hereby certify that I am not a party to the within action and that I deposited a copy of the 3/12/14 minute order in a sealed envelope with first class postage prepaid, addressed to each party or the attorney of record in the U.S. Mail at 720 Ninth Street, Sacramento, California.

Dated: March 13, 2014

E. Brown, Deputy Clerk _____ s/ E. Brown _____

ROYA S LADAN
DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING
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DENNIS R MURPHY
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P.O. BOX 1319
SACRAMENTO, CA 95812-1319

Exhibit J

**Exhibit J to Borelli Decl.: USAspending.gov search results for
U.S. Department of Education federal financial assistance to the
St. Johns County School Board**

+ SEARCH CRITERIA

RESULTS SUMMARY

Change Search Filters

Filters: School Board of St Johns County; Contracts, Grants, Loans, Other Financial Assistance; FY 2017, FY 2016, FY 2015; Florida; Department of Education

Total Number of Transactions

224

Total Prime Recipient Transaction Amount

\$3,663,185

Total Sub-Award Transaction Amount

\$1,590,780

0 Contracts

24 Grants

0 Loans

200 Other Financial Assistance

SEARCH RESULTS

«« 1 2 3 4 5 » »»

1 to 50 of 224 transactions.

Download

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=0000000000&FiscalYear=2017)	P063P163554	(\$133)	6/29/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=0000000000&FiscalYear=2017)	P063P163554	\$38,054	6/28/2017	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P173554	\$54,679	6/28/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P173554	\$9,719	6/16/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P173554	\$1,424	6/16/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$41,677	6/13/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$94,100	5/23/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	(\$2,907)	5/11/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$81,114	5/9/2017	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$25,979	4/20/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$13,554	4/4/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$50,523	4/3/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	(\$106)	3/21/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$54,932	3/20/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$62,838	3/6/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063Q163554	\$1,015	3/2/2017	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$5,136	2/24/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$61,992	2/20/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	(\$526)	2/7/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$33,276	2/6/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$548	2/6/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=000000000&FiscalYear=2017)	P063P163554	\$7,260	1/23/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$17,360	1/9/2017	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$2,001	1/5/2017	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$50,044	12/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$389	12/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$2,132	11/18/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$1,938	11/16/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$31,784	10/24/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	(\$1,033)	10/24/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P153554	(\$378)	10/20/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P153554	(\$790)	10/20/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P153554	\$1,168	10/20/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2017)	P063P163554	\$120,113	10/19/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$722)	9/29/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$44,142	9/28/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$48,768	9/28/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	(\$2,633)	9/15/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	(\$275)	9/15/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$2,887)	9/13/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$34,666	9/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$67,309	9/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$9,852	8/30/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063Q143554	\$145	8/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063Q153554	\$580	8/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$1,939)	8/23/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$3,142	8/22/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$9,474	8/22/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$5,776	8/2/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$17,163	8/2/2016	Direct Payments	Department of Education	N/A	Prime

+ **SEARCH CRITERIA**

RESULTS SUMMARY

Change Search Filters

Filters: School Board of St Johns County; Contracts, Grants, Loans, Other Financial Assistance; FY 2017, FY 2016, FY 2015; Florida; Department of Education

Total Number of Transactions

224

Total Prime Recipient Transaction Amount

\$3,663,185

Total Sub-Award Transaction Amount

\$1,590,780

0 Contracts

24 Grants

0 Loans

200 Other Financial Assistance

SEARCH RESULTS

«« « 1 **2** 3 4 5 » »»

51 to 100 of 224 transactions.

Download

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$14,464	8/1/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,542	8/1/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$135)	7/19/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$2,908	7/19/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	(\$898)	7/13/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,406	7/13/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	(\$961)	7/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$12,691	7/11/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P163554	\$41,989	7/11/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$4,813)	7/11/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$8,008	6/23/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$963	6/15/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$39,176	6/9/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$40,902	5/30/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$26,859	5/10/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$2,637)	5/3/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$251)	4/28/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$21,202	4/26/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$13,477	4/26/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$41,175	4/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$46,421	4/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$648	4/15/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$7,837	4/14/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$41,745	4/14/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,682	4/13/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3,138	4/12/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$1,383	3/31/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$1,948	3/29/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$7,325	3/28/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$15,227	3/15/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$29,179	3/14/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$5,050	3/14/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3,017	3/10/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$21,421	3/9/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063Q153554	\$1,300	3/1/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$1	2/29/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	(\$1,988)	2/26/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P133554	(\$155)	2/26/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3,997	2/26/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$7)	2/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$38,936	2/25/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3,442	2/19/2016	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$42,597	2/19/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$1,232)	2/17/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$16,215	2/15/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,378	2/12/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$16,969	2/11/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$10,368	1/28/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$33,166	1/27/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$530	1/18/2016	Direct Payments	Department of Education	N/A	Prime

+ SEARCH CRITERIA

RESULTS SUMMARY

Change Search Filters

Filters: School Board of St Johns County; Contracts, Grants, Loans, Other Financial Assistance; FY 2017, FY 2016, FY 2015; Florida; Department of Education

Total Number of Transactions

224

Total Prime Recipient Transaction Amount

\$3,663,185

Total Sub-Award Transaction Amount

\$1,590,780

0 Contracts

24 Grants

0 Loans

200 Other Financial Assistance

SEARCH RESULTS

«« « 1 2 3 4 5 » »»

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101 to 150 of 224 transactions.

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$23,210	1/13/2016	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$10,105	12/18/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$5,295	12/18/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$135	12/17/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$7,701	12/11/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$31,694	12/10/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$1,363	12/8/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$4,435	11/26/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$20,837	11/25/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	(\$2,865)	11/17/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	\$2,865	11/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$37,918	11/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,888	11/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	(\$2,865)	11/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3,585	10/30/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$37,666	10/29/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,888	10/29/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	(\$1,933)	10/23/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$2,888	10/16/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$4,554	10/14/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$5,776	10/12/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$61,989	10/9/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	\$2,865	10/9/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P143554	\$2,865	10/5/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2016)	P063P153554	\$3	10/1/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$51,744	9/30/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$22,635	9/30/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$5,730	9/29/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$56,793	9/28/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$2,888	9/28/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,368	9/14/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$3,033	9/11/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$109,131	9/9/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$21,637	9/9/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063Q133554	\$35	8/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063Q143554	\$600	8/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$650	8/19/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$6,339	8/18/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$7,174	8/18/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$7,046	8/17/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$8,972	7/28/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$15,340	7/28/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$34,098	7/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$721	7/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P153554	\$40,834	7/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub

««	«	1	2	3	4	5	»	»»
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101 to 150 of 224 transactions.

+ SEARCH CRITERIA

RESULTS SUMMARY

Change Search Filters ▲

Filters: School Board of St Johns County; Contracts, Grants, Loans, Other Financial Assistance; FY 2017, FY 2016, FY 2015; Florida; Department of Education

Total Number of Transactions

224

Total Prime Recipient Transaction Amount

\$3,663,185

Total Sub-Award Transaction Amount

\$1,590,780

0 Contracts

24 Grants

0 Loans

200 Other Financial Assistance

SEARCH RESULTS

« « 1 2 3 4 5 » »»

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151 to 200 of 224 transactions.

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	931 - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	931 - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1936B - 6PE01	\$26,936	7/6/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,865	7/6/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,592	7/2/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRUCTION (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	93I - 1916B - 6PG01	\$105,629	7/2/2015	Sub-Grant	Department of Education	N/A	Sub
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$63,489	7/1/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$796	6/16/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$20,010	6/10/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$52,615	6/4/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$145	5/29/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,865	5/28/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$34,040	5/27/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$46,151	5/12/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,388	5/11/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,910	5/5/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$12,823	4/28/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$5,423	4/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	(\$514)	4/23/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$69,216	4/23/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	(\$1,950)	4/13/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$59,124	4/9/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$372	3/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$36,446	3/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063Q143554	\$1,980	3/10/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$60,002	3/10/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$35,291	3/9/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$3,495	3/4/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$15,188	2/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,051	2/24/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	(\$248)	2/19/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$78,418	2/19/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$73,595	2/10/2015	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,865	2/2/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$50,476	1/27/2015	Direct Payments	Department of Education	N/A	Prime

151 to 200 of 224 transactions.

Download

+ SEARCH CRITERIA

RESULTS SUMMARY

Change Search Filters ▲

Filters: School Board of St Johns County; Contracts, Grants, Loans, Other Financial Assistance; FY 2017, FY 2016, FY 2015; Florida; Department of Education

Total Number of Transactions

224

Total Prime Recipient Transaction Amount

\$3,663,185

Total Sub-Award Transaction Amount

\$1,590,780

0 Contracts

24 Grants

0 Loans

200 Other Financial Assistance

SEARCH RESULTS

«« « 1 2 3 4 5 »»

201 to 224 of 224 transactions.

Download

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,954	1/15/2015	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$35,836	1/14/2015	Direct Payments	Department of Education	N/A	Prime

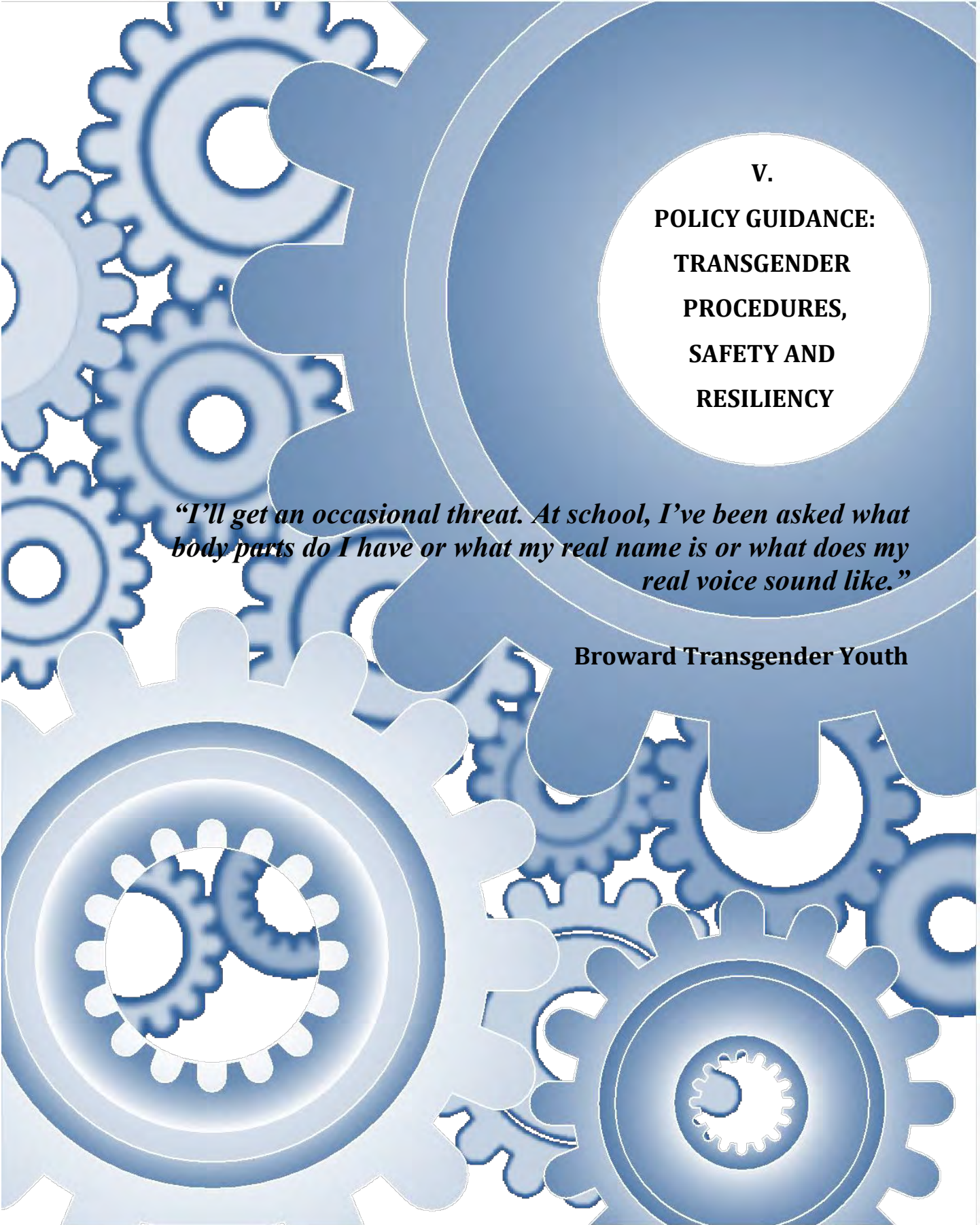
Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,082	12/17/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$11,717	12/16/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$27,927	12/15/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,390	12/11/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$90,473	12/10/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,865	11/26/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,865	11/25/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,999	11/24/2014	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,051	11/18/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$6,515	11/18/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$112,453	11/17/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$6,685	11/14/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$53,122	11/13/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$2,547	10/30/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P123554	(\$294)	10/23/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P123554	(\$179)	10/23/2014	Direct Payments	Department of Education	N/A	Prime

Recipient	Award ID	Award Amount	Award Date	Award Type	Awarding Agency	Funding Agency	Role
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$11,100	10/21/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$21,159	10/20/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$161,785	10/16/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P143554	\$1,051	10/7/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P133554	\$1,847	10/6/2014	Direct Payments	Department of Education	N/A	Prime
ST JOHNS COUNTY SCHOOL BOARD OF PUBLIC INSTRU (https://www.usaspending.gov/transparency/Pages/RecipientProfile.aspx?DUNSNumber=010500601&FiscalYear=2015)	P063P133554	\$5,645	10/3/2014	Direct Payments	Department of Education	N/A	Prime

Exhibit K

**Exhibit K to Borelli Decl.: Excerpt of Broward County Public
Schools LGBTQ Critical Support Guide**



**V.
POLICY GUIDANCE:
TRANSGENDER
PROCEDURES,
SAFETY AND
RESILIENCY**

“I’ll get an occasional threat. At school, I’ve been asked what body parts do I have or what my real name is or what does my real voice sound like.”

Broward Transgender Youth

INTRODUCTION

Broward County Public Schools (BCPS) recognizes that every child deserves an opportunity to thrive in school. We know that every student has the right to learn in a safe and accepting school environment. Supporting transgender students and families of transgender youth gives young people in our schools the equal opportunity that all students need. As visibility and awareness of transgender people increases, more parents, school administrators, support staff, teachers and healthcare providers are learning about the importance of supporting transgender students.

The expression of transgender identity, or any other form of gender-expansive behavior, is a healthy, appropriate and typical aspect of human development. When students are harassed or bullied based on their gender, or others' perceptions of it, learning often takes a backseat. Instead, students may worry about such things as bullying in the hallway, mistreatment on the school bus or which restroom to safely use. Every student who transitions at school is entitled to a safe and supportive environment in which to follow their unique path to being their authentic selves.

According to the Human Rights Campaign's resources on transgender violence (www.hrc.org/resources/addressing-anti-transgender-violence) bullying, mistreatment or harassment toward students that are transgender or gender nonconforming is pervasive in schools across the United States. For example:

- 75% of transgender students feel unsafe at school and those who are able to persevere have 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
 - 59% have been denied access to restrooms consistent with their affirmed gender identity
 - 9 out of 10 transgender students report being "verbally harassed due to their gender expression" and more than half have also been "physical assaulted"
 - More than one third of transgender students report 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

We know that there is a social system that constructs gender according to two discrete and opposite categories – male and female. Yet, this gender binary is being challenged by the population in general and our students whose innate sense of core identity is different from their assigned sex at birth. It is also being challenged by our students who are gender nonconforming and not fitting neatly into the gender binary of female or male.

Children typically begin expressing their gender identity between the ages of two and four years old. Around this age, transgender children often express their cross-gender identification to their family members or caregivers. However, not all youth who identify as transgender begin the process at an early age; for some, gender identity is a slower, more nuanced process for a variety of personal, social, developmental and societal reasons. Creating a more welcoming environment for students' gender diversity is a more effective and lasting strategy. Broward County Public Schools is working to develop more gender-inclusive environments for all students, knowing that we are also creating more affirming spaces for transgender young people in the process.

Students and families have all kinds of needs, whether they are gifted, speak a first language other than English or are transgender. All educators have a professional, ethical and legal obligation to provide for these unique needs. Dispelling harmful stereotypes and prejudices of all kinds create spaces where every student has the opportunity to both learn and thrive. So is the case for our students who identify as transgender and gender nonconforming.

ACKNOWLEDGEMENTS

The following individuals are both community and staff members of the Broward County Public Schools "Transgender Guidelines Ad Hoc Committee." Their unwavering dedication to our transgender students, staff and families helped formulate this guide's thorough scope and contents:

- Wladimir Alvarez, Director, EEO, ADA, Broward County Public Schools
- Umut Dursun, Outreach Coordinator, YES Institute
- Janette Hameister, Principal, Atlantic West Elementary, Broward County Public Schools
- Mandi Hawke, Director of Youth Services, Sunserve
- Jeanne Jusevic, Parent, Florida PTA Board of Directors, Exceptional Child Committee Chair, LGBTQ Student Inclusion Subcommittee Chair
- Michelle Kefford, Principal, Flanagan High School, Broward County Public Schools
- Darren Khan, Coordinator, Prevention Youth Services, Memorial Healthcare System
- De Palazzo, LGBTQ Coordinator, Broward County Public Schools
- Yezenia Perez, Social Worker, Lauderdale Manors Center, Broward County Public Schools

- Todd Sussman, Privacy Officer, Risk Management Department, Broward County Schools
- Danny Tritto, Guidance Director, Broward County Public Schools
- Joseph Zolobczuk, Director of Education, YES Institute

Importantly, this guide would not be possible without the forward thinking, wisdom and work products from the following organizations, districts or documents:

- Washington District of Columbia Public Schools
- Los Angeles Unified School District
- San Francisco Unified School District
- Massachusetts Department of Elementary and Secondary Education
- State of California Transgender Guidelines
- “Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools”
- GLSEN’s Model District Policy on Transgender and Gender Nonconforming Students
- Broward County Public Schools – Principals and Assistant Principals

FEDERAL STATE AND LOCAL NONDISCRIMINATION AND ANTI-BULLYING POLICIES AND GUIDELINES

The 14th Amendment guarantees all people equal protection under the law. Public school officials may be held liable for violating LGBTQ students’ constitutional rights or not intervening in anti-LGBTQ harassment.

Title IX of the Education Amendment Acts of 1972 prohibits gender-biased harassment, such as the harassment of a gender-nonconforming student. Importantly, in May of 2014, the U.S. Department of Education released historic guidelines reaffirming federal civil rights protections to transgender students. Title IX sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. In May of 2016, the Department of Education and the Department of Justice issued a “Dear Colleague Letter on Transgender Students.” This letter summarizes a school’s Title IX obligations regarding transgender students and the Department of Education and the Department of Justice determined that this letter is significant guidance. <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>

The Florida Department of Education’s Code of Ethics and Principles of Professional Conduct stresses the worth and dignity of every person. In addition, it prohibits discrimination based on sexual orientation, among other characteristics. As well, The School Board of Broward County’s Policy 1.5 (Diversity Committee) urges that diversity be promoted. Furthermore, it defines “diversity” as being inclusive of sexual orientation, gender identity and gender expression.

Several local Broward County policies and ordinances specifically prohibit harassment and discrimination based on sexual orientation, gender identity and gender expression, such as: the Broward County Human Rights Act, the School Board of Broward County’s Non-Discrimination Policy 4001.1 and the School Board of Broward County’s Anti-Bullying Policy 5.9.

NAMES AND PRONOUNS

The appropriate use of names and pronouns with transgender students is vital in creating a safe and supportive environment in the school community. Students shall have the right to be addressed by a name and pronoun corresponding to their gender identity as expressed by the individual student.

The parent(s) or guardian with legal custody of a child may also request that their child be addressed by the student’s affirmed name and affirmed gender pronoun that corresponds to the student’s gender identity. A court-ordered name or court-ordered gender change is not required to call the child by their affirmed name or gender pronoun. If or when there is receipt of documentation that a student has legally changed the name or gender (per Florida’s requirements), the student’s education records should be updated to reflect the legal change.

School personnel should privately ask a transgender student how they want to be addressed in communications to the home or at conferences with the student’s parent(s)/ guardian. In addition, prior to notification of any parent(s)/guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parent(s)/guardian will be involved in the process and must consider the health, well-being and safety of the transitioning student.

School personnel should use the student’s affirmed name and pronoun appropriate to a student’s gender identity, regardless of the student’s birth sex or birth name. **It is strongly advised that the transgender student and one designated “trusted adult” review the “Gender Support and Transition Planning Guide” together for initiating use of the**

affirmed name and pronoun consistent with the student’s gender identity, as well as ensuring other safety components are in place at school. The guiding questions in the planning guide act as a resource to schools. As a privacy safeguard, any documentation, notes or responses to these questions should remain in the sole possession of the trusted adult and/or school district leadership coordinator. The documentation should not be disseminated or be placed in any education records with identifiable information.

The “Gender Support and Transition Planning Guide” is located in the appendix of the “LGBTQ Critical Support Guide.” If needed, contact the Diversity, Prevention & Intervention Department at 754.321.1655 for consultation regarding the guiding questions.

As with other related issues involved with creating a safe and supportive environment for transgender students, the best course is to engage the student and the parent(s)/guardian (especially in the case of a younger student), with respect to name and pronoun use and agree on a plan to initiate that name and pronoun use within the school. The “Gender Support and Transition Planning Guide” also could include when and how this is communicated to students and their parent(s)/guardian.

In order to prevent alienating a student, teachers and schools should respect and work with students on a case-by-case and customized basis to ensure that their individual needs are met and respected. Keeping in mind that there may be difficulties with making changes to names and pronouns, it is empowering and meaningful to the student who has made, or is in the process of making, the transition.

PRIVACY, CONFIDENTIALITY, EDUCATION RECORDS

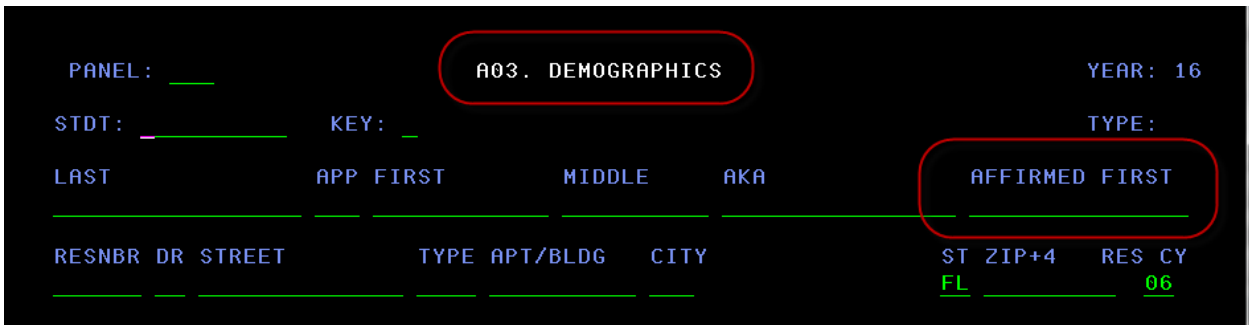
Generally, if a student wishes for their name to be changed at school, despite whether or not they have brought in a legal name change, selected nonacademic records should reflect their preferred name. Examples include but are not limited to: yearbook, lunch line rosters, general rosters, substitute 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 or mis-gendered do not take place.

The parent or guardian with legal custody of a child may also request that their child be addressed by the student’s affirmed name and pronoun that corresponds to the student’s gender identity. As stated previously, a court-ordered name or court-ordered gender change is not required and no change is required to the student’s education records.

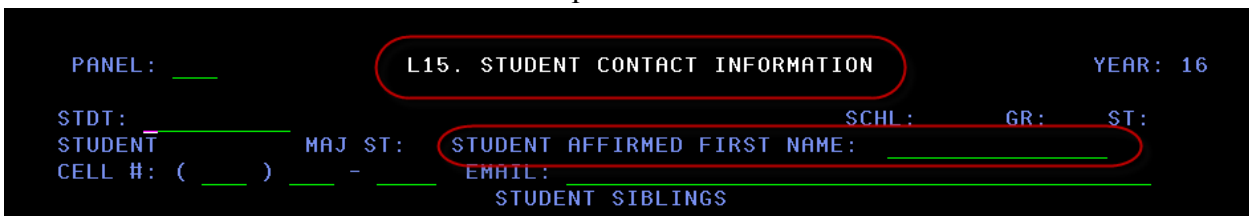
Privacy and Electronic Databases

A. TERMS (Total Educational Resource Management System)

If the student requests, and in the case of an elementary-aged student, the student and parent(s)/guardian requests, the affirmed name shall be entered into the District’s Student Information System to inform staff of the name to use when addressing the student. This addition to the Student Information System is facilitated by the Assistant Principal, along with a trusted adult (see Gender Support and Transition Planning Guide) and communicated to the Data Entry Clerk/IMT at the student’s school. The A-03 panel in TERMS will have a field entitled “Affirmed First,” denoting the student’s affirmed first name. See screenshot below.



The same field can also be found on the L-15 panel entitled “Student Affirmed First Name”.

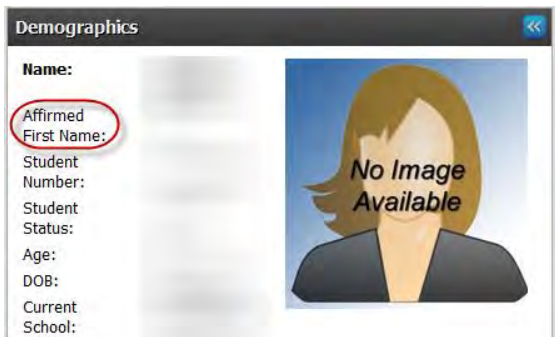


Schools should enter the affirmed name on both the A-03 panel and the L-15 panel.

B. BASIS (Behavioral and Academic Support Information System)

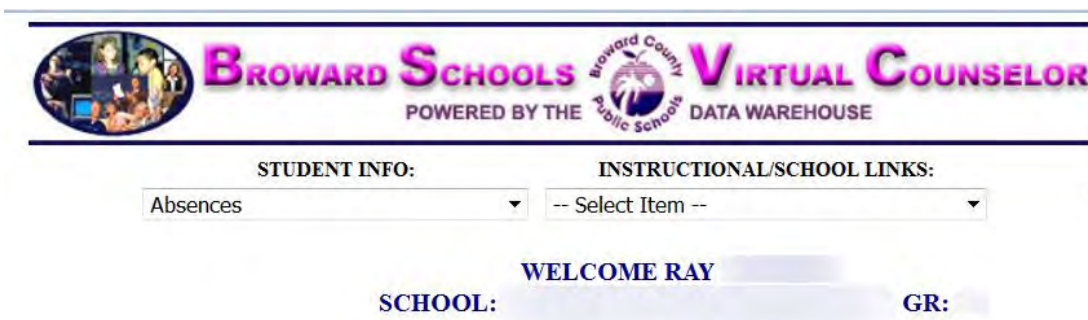
In the student detail grids of BASIS the affirmed first name will be denoted with an asterisk (*). The asterisk will indicate that the student’s official name is different from the student’s affirmed name. From any student grid, double click on the student’s row to bring up the student’s individual profile screen in BASIS. The Individual Student Profile Screen has a demographic section in the upper left-hand corner. In this section you will find the student’s official/birth name as well as a

field entitled “Affirmed First Name”, which has been added for this purpose as well. See screenshot below.



C. Virtual Counselor

Virtual Counselor, a portal for students and/or parent(s)/guardian to view student information, will also list the student’s affirmed first name. See screenshot below.



D. Pinnacle

Finally, Pinnacle, an attendance and teacher gradebook tool, has not changed. Pinnacle produces Substitute Teacher Reports for attendance purposes. In order to ensure the affirmed name is a part of any substitute teacher report, the following steps should be followed by the attendance manager producing a substitute teacher report for a substitute: Go to the BCPS Data Warehouse “School Reports Menu.” Click on the “Attendance Folder.” Select the report “ATTI008 – Attendance for Substitute Teacher w/Affirmed Name”. This roster will contain the affirmed first name of the student who identifies as transgender.

Please inform students who request their affirmed names be added to electronic databases that the parent(s)/guardian may request copies of information found on TERMS, BASIS, Virtual Counselor and Pinnacle, as these are education records.

Transgender students have the right to discuss and express their gender identity and expression openly and to decide when, with whom and how much to share private information, including with parent(s)/guardian. The fact that a student chooses to disclose his or her transgender status to staff or other students does not authorize school staff to disclose other medical information about the student. Broward County Public Schools follow federal laws, including The Family Educational Rights and Privacy Act (FERPA). School leadership and/or staff shall not “out” a child (*Sterling v. Borough of Minersville*, 232 F.3d. 190,196 n.4 3d Cir. 2000 and *C.N. v. Wolf*, 410 F. Supp. 2d 894, 903 C.D. Cal. 2005), even to their own parent(s)/guardian. This could endanger both the psychological and physical safety of a child. When contacting the parent(s)/guardian, school staff should use the student’s legal name and the pronoun corresponding to the student’s gender assigned at birth unless the student has specified otherwise.

Remember, the name in the databases (TERMS, BASIS, Pinnacle and Virtual Counselor) are part of the education record and is therefore covered by FERPA. This means if parents/guardian requests access to their child’s records, they will have access to the child’s preferred name. **If a student transitioning at school is not ready to share their transgender status with their family, this should be respected. School staff should make a change socially, meaning calling the student by the affirmed name and pronoun.**

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, legal name or gender assigned at birth also constitute confidential medical information. Disclosing this information to other students and/or other students’ parent(s)/guardian or other third parties without consent of the student may violate privacy laws, such as FERPA.

Transferring to a New School

In the case of a transgender student enrolling at a new school, the school must respect the student’s privacy. Information about a student’s assigned birth sex, name change for gender identity purposes and gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, is part of the education record, is confidential, and must be kept private and secure, except in limited circumstances. One circumstance is when authorized school personnel require the information to provide administrative, teaching, counseling or other services to the student in the performance of their official duties. Reminder: Please inform the parent(s)/guardian of a transgender student who is transferring to another school within or outside of the District to request the

affirmed name be either included or deleted from the education record prior to the record being disclosed to the next school.

General Knowledge

Transgender students have the right to discuss and express their gender identity and expression openly and decide when to share information, with whom and how much to share. When contacting the parent or guardian of a transgender student, school staff should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise. **It is strongly suggested that school personnel privately ask transgender and gender nonconforming students how they want to be addressed in communications to the home or at conferences with the student's parents/legal guardians.**

Dress Codes and School Uniforms

All students shall be allowed to dress in accordance with their gender identity and gender expression, as stated in BCPS Code of Student Conduct Handbook, Section 3, and Dress Code. School dress code and uniform policies shall be gender-neutral neutral (as example, special events, graduation ceremonies, prom, etc.) and should not restrict students' clothing choices on the basis of gender or traditional stereotypes about what males and females "should" wear. All students, regardless of gender identity, shall dress within the constraints of the school's dress code as it relates to health and safety issues (e.g., prohibitions on wearing gang symbols, regalia, drugs, etc.) or the school uniform policy.

Dress code guidelines apply to regular school days as well as any special events, such as graduation ceremonies and prom. For example, schools may require formal attire for all students at a ceremony, but may not specify that girls must wear dresses and boys must wear ties.

Restrooms

Students who identify as transgender shall have access to the restroom that corresponds to their gender identity asserted at school. This means that transgender students are entitled to use the restroom that matches their gender identity. When meeting with the transgender student (or student and parent(s)/guardian if a young student) to discuss transgender safety and care, it is essential the principal and student address student's access to the restroom, locker room and changing facility. Each situation needs to be reviewed, addressed and customized based on the particular circumstances of the student and the school facilities.

In all cases, the principal should be clear with the student (and parent(s)/guardian, if appropriate) that the student may access the restroom, locker room and changing facility that corresponds to the student's affirmed gender identity.

Some transgender students may not be comfortable using sex-segregated restrooms. If so, using a safe and adequate alternative, such as a single stall, gender-neutral restroom (i.e. the office restroom, staff restroom, health office, etc.) As a proactive action, administrators should take steps to identify gender-neutral restrooms on campus. Note that a gender-neutral restroom may be used by any student at a school, transgender or otherwise, who desires increased privacy, regardless of the underlying reason, however, the single-user bathroom may not be given as the *only* option for transgender students.

Locker Rooms, Changing Facilities

Transgender students can have access to the locker room that corresponds to the gender identity the student asserts at school, considering the available accommodation and the needs and privacy concerns of all students involved.

If any student has a need or desire for increased privacy or safety, regardless of the underlying reason, upon request, the student may be provided access to a reasonable alternative changing area or locker room such as:

- Use of a private area in the public area of the locker room facility (i.e., a nearby restroom stall with a door, an area separated by a curtain, or a P.E. instructor's office in the locker room.)
- A separate changing schedule (either utilizing the locker room before or after other students)
- Use of a nearby private area (i.e., a nearby restroom, office restroom or health office restroom)

School staff as well as students and/or families may find the use of restrooms and changing facilities to be among the more challenging issues presented by gender identity law and policy guidelines. **As emphasized in other sections of this guidance, these issues should be resolved on a customized case-by-case basis, through dialogue with students and/or parent (if needed), and through leadership in creating safe and supportive learning environments via the Broward County Public Schools Gender Support and Transition Planning Guide.**

Day and Overnight Field Trips

Day field trips and overnight field trips are opportunities for educational endeavors and social engagements and it is important to make sure that transgender students have both components. This can require some planning to ensure affirmed name, gender pronouns, room assignments, chaperones and showers are accurate and aligned with the student's core gender identity.

A transgender student's comfort level with sleeping arrangements will largely dictate the manner in which related issues are addressed. If students are to be separated based on gender, the transgender student should be allowed to room with peers that match their gender identity. As with other students, it is important to pair the student with peers with whom the student feels comfortable, as well as with a rooming student(s) who feels comfortable. A school should honor transgender students' requests whenever possible and make adjustments to prevent the student from being marginalized because of those alternative arrangements. Schools have an obligation to maintain the student's privacy and shall not disclose the student's transgender status to other students or parents if the student is not already out and/or did not give permission. In the case of younger-aged students (elementary), discussion should take place with the student's parent(s)/guardian (for more information see "Privacy, Confidentiality, and Education Records.")

Single stall or private shower facilities are appropriate. If there are communal shower facilities, the school should consider creating a schedule to allow the student to use the communal facilities.

Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities or programs (i.e., class discussions, field trips, etc.), students shall be permitted to participate in accordance with their gender identity as expressed by the student and asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case by case basis. In such circumstances, staff shall make a reasonable effort to provide an available accommodation that can address any such concerns.

Other Gender-Based Activities, Rules, Policies and Practices

As a general matter, schools should evaluate all gender-based rules, practices and traditions, and maintain only those that have a clear and sound pedagogical purpose. Gender-based policies, rules and practices can have the effect of marginalizing, stigmatizing and

excluding students, whether they are gender nonconforming or not. In some circumstances, these policies, rules and practices may violate federal and state law. For these reasons, schools should consider alternatives to them. Examples include graduation gowns in different colors for males and females, lining students up by girls and boys for recess, lunch, restroom use, etc. and gender based dress for events at school, to name a few. Simple things such as calling students “students” or “scholars” instead of “boys and girls” may seem insignificant but actually make a notable difference to students who feel alienated because they many not identify as being part of either of the two binaries. Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific rule, policy, or practice, students must be permitted to participate in such activities or conform to such rule, policy or practice consistent with their gender identity.

Physical Education, Intramural Sports, Interscholastic Athletics

Transgender students are to be provided the same opportunities to participate in physical education and sports as are all other students. Transgender students shall be permitted to participate in gender-segregated recreational physical education activities, athletic teams and competition in accordance with the student’s gender identity as expressed by the student and asserted at school.

Title IX of the Education Amendment Acts of 1971 prohibits gender-biased harassment, such as the harassment of a gender-nonconforming student. Importantly, in April of 2014, the U.S. Department of Education released historic guidelines reaffirming federal civil rights protections to transgender students. Title IX sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. This law reminds schools of the obligation to protect transgender students from sexual harassment, and informs schools that they have an obligation to train staff on appropriate interactions with transgender students. In addition, the Department of Education and the Department of Justice conjointly released a “Dear Colleague Letter on Transgender Students” in May of 2016.

Broward County Public Schools athletics are under the auspices of the Florida High School Athletics Association (FHSAA.) The FHSAA supports the participation of transgender and gender nonconforming students in all athletic activities in alignment with the Florida Department of Education’s Code of Ethics and Principles of Professional Conduct related to the worth and dignity of every person.

The FHSAA Handbook year 2012-2013 forward includes specification entitled “Gender Identity Participation” including the eligibility to participate in interscholastic athletics in a manner that is consistent with a student’s gender identity and expression, irrespective of

the gender listed on a student's birth certificate and/or records. Review procedures are outlined in the FHSAA Handbook (<http://www.fhsaa.org/rules/fhsaa-handbook>.)

Student Transitions

Not all gender-nonconforming students identify as being transgender, so transition may look very different for each student and not all people who undergo a transition desire the same outcome.

In most cases, transitioning is a very private matter. Students may choose to have their parent(s)/guardian participate in this process; however, parental/guardian participation is not required. Sometimes older students (high school or middle school) are navigating familial challenges with acceptance of a child's gender affirmation. As well, young students (typically elementary-aged, but not always) navigate the transition process with their parent/guardian.

When appropriate, schools, in particular one "trusted adult," should work closely with the student or the student and parent(s)/guardian in reviewing the "Gender Support and Transition Planning Guide" regarding the confidentiality of the student's transgender status and other safety components. The Planning Guide's guiding questions are a comprehensive tool that can assist this process. These questions provide a list of topics for a transitioning student to review with a trusted adult in the school and/or with a school administrator. Privacy considerations also may vary with the age of the student. Please see below for additional guidance specific to elementary-aged students. The responses generated from the "Gender Support and Transition Planning Guide" should be discussed only with the persons who are responsible for implementing the plan. As one example, the PE teacher should be notified that a student who had previously used a boy's locker room would move into the girl's area. The "Gender Support and Transition Planning Guide" can be found in the appendix of the "LGBTQ Critical Support Guide." **As a privacy safeguard, any generated documentation, notes or responses to the questions within the planning guide should remain in the sole possession of the trusted adult and/or school leadership team coordinator. The documentation should not be disseminated or placed in any education records with identifiable information.**

Developmentally Appropriate Protocols

In order to maintain privacy and confidentiality regarding transition and gender identity, transgender students may wish—but are not required—to transition over a summer break or between grades. Regardless of the timing of a student's transition, the school shall act

in accordance with the following developmentally appropriate protocols. **These protocols are guidelines, but each student situation should be handled according to the maturity of each individual student and the contextual situation, while still respecting that student's rights.**

Grades PK-5

Generally, the parent or guardian will inform the school of an impending transition. However, it would be appropriate to approach the family of an elementary school student if school staff believes that a gender identity or expression issue is presenting itself at school and creating difficulty for the student. Together, the family and school can then identify appropriate steps to support the student. A guide of community as well as District resources can be found in the resources section of the BCPS "LGBTQ Critical Support Guide," <http://www.browardprevention.org/diversity/lgbtq>.

Grades 6-12

Notifying parent(s)/guardians who are unaware or not on board carries risks for the student. For example, some parents who are not accepting may force the child to leave home. **Prior to notification of any parent or guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parent(s) or guardian will be involved in the process and must carefully consider the health, well-being and safety of the transitioning student.**

When a student transitions during the school year, the school shall hold a meeting with the student and parent(s)/guardian, if they are involved in the process, to ascertain their desires and concerns. The school should discuss a timeline for the transition in order to create the conditions supporting a safe and accepting environment at the school. Finally, it is recommended that the school sensitize and train school administrators and any educators that interact directly with the student on the transition plan, timelines for transition and any relevant legal requirements.

Education and Training

In order to further facilitate a safe and supportive school environment for all students, the BCPS Diversity, Prevention & Intervention Department will incorporate education and training about transgender and gender nonconforming students into their anti-bullying curriculum, student leadership trainings and staff professional development.

As with other efforts to promote positive school culture, professional development for school staff could include topics on gender identity and gender nonconformity such as the detailed information in BCPS “ Policy Guidelines: Transgender Procedures, Safety and Resiliency” located in the “LGBTQ Critical Support Guide,” key terms related to gender identity and expression and the development of gender identity. As well, professional development could include experiences of transgender and other gender nonconforming students, risk and resilience data regarding transgender and gender nonconforming students, ways to support transgender students and to improve the school climate for gender nonconforming students and gender-neutral language and practices.

An exemplary guide for understanding and supporting students who identify as transgender is “Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools” and can be found at http://www.nea.org/assets/docs/Schools_in_Transition_2015.pdf. Also, www.genderspectrum.org has information about transgender and gender nonconforming children. These sites may offer you more knowledge about transgender and gender variant children, both in school and in general.

A Note about Adults (Staff, Parent/Guardians and Caretakers) Who May Be Transgender

As with young people, there may be adults who identify as transgender and transition may look very different for each staff member, parent(s)/guardian or school visitor. Not all people who undergo a transition desire the same outcome. Staff members, parents, guardians or caretakers in our schools also have the right to keep their transgender identity private and confidential, be addressed by the name and pronoun that correspond to their gender identity and dress in accordance with their gender identity. They also have the right to use the bathrooms and locker rooms that match their gender identity.

Outside Media and Community Communication

Media inquiries about issues related to gender identity should be referred to the BCPS Public Information Office. Rather than directly commenting on the issue, BCPS staff should direct inquiries from families or the immediate school community to the principal.

Conclusion

One cannot anticipate every situation in which questions may come up in the implementation of transgender procedures. The needs of each transgender or gender nonconforming student should be assessed and addressed on a case-by-case basis. Broward County Public Schools Diversity, Prevention & Intervention Department will continue to provide assistance, support and resources as we work together to create a safe and supportive school environment for all students.

- For further information or questions about the content of this guidance, contact the BCPS Diversity, Prevention & Intervention Department, 754.321.1655.
- For questions regarding privacy of education records, contact the Privacy Officer, BCPS Risk Management Department, 754.321.1900
- For questions that a school-based Data Entry Clerk/IMT may have about entering information in BCPS Student Information System, contact your school's Assistant Principal.
- For questions regarding consultation about LGBTQ and transgender needs, contact the LGBTQ Coordinator, BCPS Diversity, Prevention & Intervention Department at 754.321.1655.

The School Board of Broward County's Non Discrimination Policy Statement 4001.1 states, in part: The School Board of Broward County, Florida...shall not discriminate against students, parents or guardians of students, employees, applicants, contractors, or individuals participating in School Board sponsored activities. The School Board is committed to the provision of equal access...This policy is established to provide an environment free from discrimination and harassment based upon age, race, color, disability, gender identity, gender expression, marital status, national origin, religion, sex or sexual orientation.

GENDER SUPPORT AND TRANSITION PLANNING GUIDE

Introduction

Our district is committed to honoring the rights of transgender students. Indeed, our own Nondiscrimination Policy Statement (Policy 4001.1) includes gender identity, gender expression, sex and sexual orientation in the list of categories for which discrimination and harassment are prohibited.

These questions, a resource to schools, can be used as a planning guide for school leadership teams or a trusted adult to create shared understanding about the ways in which a student's authentic gender will be supported at school. As a privacy safeguard, any documentation, notes or responses to these questions should remain in the sole possession of the trusted adult and/or school leadership team coordinator. These guiding questions should not be disseminated or placed in any education record (hard copy or electronic) unless the student gives consent.

This is our first version of the "Gender Support and Transition Planning Guide" As the needs and safety of transgender individuals evolve and future versions of these guiding questions are written, we ask that you share your feedback and any other information you might find helpful to include in this document. For further questions or comments, contact Diversity, Prevention & Intervention Department, LGBTQ Coordinator, 754.321.1655.

U.S. Department of Justice and U.S. Department of Education "Dear Colleague Letter on Transgender Students" May 13, 2016

Parent/Guardian Involvement

Does the student or has the student:

- Have a parent/guardian who is aware and supportive of the student's gender transition?
- Discussed how communication will take place with parent/guardian when using student's name and gender?
- Have siblings at the school?

Confidentiality, Privacy, Disclosure

Does the student or has the student:

- Agreed to disclose her/his transgender identity?
- With whom? (Parent/guardian, school site level leadership, support staff, direct contact teachers, teachers and staff, some students, all students, other)

Student Safety

Does the student or has the student:

- Have a “trusted adult” on campus?
- Have a person to go to if the “trusted adult” is not available?
- Have a support group on campus (e.g. Gay-Straight Student Alliance, Counseling Support Group, etc.)?
- Have a process for periodically checking in with an adult?

Names, Pronouns, Student Records

Does the student or has the student:

- Asked for affirmed name to be used when addressing the student?
- Asked for affirmed gender pronoun be used when addressing the student?
- Verbally agreed to allow her/his “Affirmed Student First Name” be a part of TERMS, BASIS, Pinnacle and Virtual Counselor. Note: Please inform the student that parent(s)/guardian have the right under The Family Educational Rights and Privacy Act (FERPA) to review education records, including information stored on electronic databases
- Have a “trusted adult” who will ensure these adjustments are made and communicated as needed?

As a reminder, the District maintains birth name on education records, including:

- Registration
- Report cards
- Diploma
- Standardized tests
- Student cumulative file
- IEPs
- Before and after school program forms

Schools post or distribute other types of information as communication tools. These documents are allowed to contain the student’s affirmed name. They include:

- Substitute teacher’s roster
- School photos
- Lunch line
- Taking attendance
- Yearbook
- Student ID and library cards
- Posted lists
- Newspapers and newsletters

- Calling student to office
- PA announcements
- Announcements at assemblies

Have the student and you spoke about:

- Whether or not the parent(s) guardian is aware of the student's gender status?
- Whether or not the student's gender status is supported by the parent(s)/guardian?

Use of Restrooms

Does the student or has the student:

- Spoken with you about the restroom(s) s/he will use on campus?
- Know who to go to if there are questions or concerns about the restrooms?

Extracurricular Activities

Does the student or has the student:

- Spoken with you about activities or programs such as after school, theatre, sports, clubs, etc.?
- Know the steps for gaining support, if needed?

Overnight Field Trips

Does the student or has the student:

- Spoken with you about if the student is out at school, out with particular students only, or out with parent(s)/guardian?
- Spoken with you about which roommates are being requested for field trips, if any?

Information in this document was adapted from:
"Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools"
by *Gender Spectrum*

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Exhibit L

Exhibit L to Borelli Decl.: Email dated May 16, 2016 from Kathleen L. Rodgers, Ph.D. at Leon County Schools

Sent: Monday, May 16, 2016 6:13 PM

To: Principals <Principals@leonschools.net>; Assistant Principals, All <ap@leonschools.net>

Cc: Rodgers, Kathleen <RodgersK@leonschools.net>; Petley, Chris <petleyc@leonschools.net>; Henderson, Marvin <hendersonm@leonschools.net>; Pons, Jackie <ponsj@leonschools.net>; Leadership Team <LeadershipTeam@leonschools.net>

Subject: Dear Colleague Letter - Civil Rights Protection for Transgender Students

Good Afternoon All,

I thought it best to share with you a few things that were included in the *Dear Colleague Letter* from the Obama Administration's U.S. Department of Justice Civil Rights Division. "The letter summarizes a school's Title IX obligations regarding transgender students and explains how the U.S. Department of Education and the U.S. Department of Justice evaluate a school's compliance with these obligations."

Topics addressed follow and a brief summary is included therein:

- **Compliance with Title IX** – The Departments treat a student's gender identity as the student's sex for purposes of Title IX and its implementing regulations. **This was addressed in our October, 2015 training.**
 - This means that the school must not treat a transgender student differently from the way it treats other students of the same gender identity.
 - Under Title IX, there is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity.
- **Safe and Nondiscriminatory Environment**
 - Harassment that targets a student based on gender identity, transgender status, or gender transition is harassment based on sex and will be enforced according to Title IX.
 - If the harassment creates a hostile environment, the school must take prompt action. **This was addressed in our October, 2015 training.**
- **Identification Documents, Names and Pronouns**
 - Schools must treat students consistent with their gender identity even if their education records or identification documents indicate a different sex. **This was addressed in our October, 2015 training.**
- **Sex-segregated Activities and Facilities**
 - Transgender students must be allowed participate in activities and have access to facilities consistent with their gender identity. **This was addressed in our October, 2015 training.**
- **Athletics** – A school may not adopt or adhere to requirements that rely on overly broad generalizations or stereotypes about the differences between transgender students and other students of the same sex. Title IX does not prohibit age-appropriate, tailored requirements based on sound, current, and research-based medical knowledge about the impact of the students' participation on the competitive fairness or physical safety of the sport.

- **Housing and Overnight Accommodations –**

- Title IX allows a school to provide separate housing on the basis of sex. But a school must allow transgender students to access housing consistent with their gender identity and may not require transgender students to stay in a single-occupancy accommodations or to disclose personal information when not required of other students.
- Nothing in Title IX prohibits a school from honoring a student's voluntary request for single-occupancy accommodations if it so chooses.

- **Single-Sex Classes–** When offering single-sex classes, a school must allow transgender students to participate in classes consistent with their gender identity.

- **Single-Sex schools–** Title IX does not apply to the admissions policy of certain educational institutions, including non-vocational elementary and secondary schools, and private undergraduate colleges.

- **Other Sex-Specific Activities and Rules**

- A school may not discipline or exclude transgender students from participating in activities for appearing or behaving in a manner that is consistent with their gender identity or that does not conform to stereotypical notions of masculinity or femininity (e.g. in yearbook photographs, at school dances, or at graduation ceremonies).

- **Privacy and Education Records –**

- Protecting transgender students' privacy is critical to ensuring they are treated consistent with their gender identity. Nonconsensual disclosure of personally identifiable information, could be harmful or invade the privacy of transgender students and may also violate FERPA. **This was addressed in our October, 2015 training.**
- **Disclosure of Personally Identifiable Information from Student Records –** FERPA prevents the nonconsensual disclosure from students' educational records; one exception is that records may be disclosed to individual school personnel who have been determined to have a legitimate educational interest in the information. **This was addressed in our October, 2015 training.**
- **Disclosure of Directory Information –** School officials may not designate students' sex including transgender status, as directory information because doing so could be harmful or an invasion of privacy.
- **Amendment or Correction of Education Records – "NEW"**

A school may receive requests to correct a student's education records to make them consistent with the student's gender identity. Updating a transgender student's education records to reflect the student's gender identity and new name will help to protect privacy and ensure personnel consistently use appropriate names and pronouns.

This section is verbatim from the Dear Colleague Letter:

Under FERPA, a school must consider the request of an eligible student or parent to amend information in the student's education records that is inaccurate, misleading, or in violation of the student's privacy rights. If the school does not amend the record, it must inform the requestor of its decision and of the right to a hearing. If, after the hearing, the school does not amend the record, it must inform the requestor of the right to insert a statement in the record with the requestor's comments on the contested information, a statement in the record with the requestor's comments on the contested information, a statement that the requestor disagrees with the hearing decision, or both. That statement must be disclosed whenever the record to which the statement relates is disclosed.

Under Title IX, a school must respond to a request to amend information related to a student's transgender status consistent with its general policies for amending other student's records. If a student or parent complains about the school's handling of such a request, the school must promptly and equitably resolve the complaint under the school's Title IX grievance procedures.

As you can see, we were ahead of the game and have shared most of the contents of the Dear Colleague Letter with you via training. The guidance simply supports and undergirds what we have been told to do since September, 2015.

Thank you for your time. If you have any questions, please don't hesitate to ask. I am currently working on the following:

- A transgender Support Plan
- A Gender Transition Plan
- Procedures for working with Transgender and Gender Nonconforming students

Dr. R-

Kathleen L. Rodgers, Ph.D. – Divisional Director

Intervention, Equity and Support Services

Leon County Schools

Tallahassee, Florida 32304

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One Team, One Goal, No Limits

Exhibit M

**Exhibit M to Borelli Decl.: U.S. Department of Education,
*Examples of Policies and Emerging Practices***

Examples of Policies and Emerging Practices for Supporting Transgender Students



U.S. Department of Education

Office of Elementary and Secondary Education

Office of Safe and Healthy Students

May 2016

U.S. Department of Education
Office of Elementary and Secondary Education
Office of Safe and Healthy Students

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This guide is also available on the Office of Safe and Healthy Students website at www.ed.gov/oese/oshs/emergingpractices.pdf. Any updates to this guide will be available at this website.

If you need technical assistance, please contact the Office of Safe and Healthy Students at: OESE.Info.SupportingTransgenderStudents@ed.gov

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Examples of Policies and Emerging Practices for Supporting Transgender Students

The U.S. Department of Education (“ED”) is committed to providing schools with the information they need to provide a safe, supportive, and nondiscriminatory learning environment for all students. It has come to ED’s attention that many transgender students (*i.e.*, students whose gender identity is different from the sex they were assigned at birth) report feeling unsafe and experiencing verbal and physical harassment or assault in school, and that these students may perform worse academically when they are harassed. School administrators, educators, students, and parents are asking questions about how to support transgender students and have requested clarity from ED. In response, ED developed two documents:

- ED’s Office for Civil Rights and the U.S. Department of Justice’s Civil Rights Division jointly issued a Dear Colleague Letter (“DCL”) about transgender students’ rights and schools’ legal obligations under Title IX of the Education Amendments of 1972.¹ Any school that has questions related to transgender students or wants to be prepared to address such issues if they arise should review the DCL.
- ED’s Office of Elementary and Secondary Education compiled the attached examples of policies² and emerging practices³ that some schools are already using to support transgender students. We share some common questions on topics such as school records, privacy, and terminology, and then explain how some state and school district policies have answered these questions. We present this information to illustrate how states and school districts are supporting transgender students. We also provide information about and links to those policies at the end of the document, along with other resources that may be helpful as educators develop policies and practices for their own schools.

¹ 20 U.S.C. §§ 1681-1688; Dear Colleague Letter: Transgender Students (May 13, 2016), www.ed.gov/ocr/letters/colleague-201605-title-ix-transgender.pdf.

² In this document, the term *policy* or *policies* refers generally to policies, guidance, guidelines, procedures, regulations, and resource guides issued by schools, school districts, and state educational agencies.

³ ED considers *emerging practices* to be operational activities or initiatives that contribute to successful outcomes or enhance agency performance capabilities. Emerging practices are those that have been successfully implemented and demonstrate the potential for replication by other agencies. Emerging practices typically have not been rigorously evaluated, but still offer ideas that work in specific situations.

Each person is unique, so the needs of individual transgender students vary. But a school policy setting forth general principles for supporting transgender students can help set clear expectations for students and staff and avoid unnecessary confusion, invasions of privacy, and other harms. The education community continues to develop and revise policies and practices to address the rights of transgender students and reflect our evolving understanding and the individualized nature of transgender students' needs.

This document contains information from some schools, school districts, and state and federal agencies. Inclusion of this information does not constitute an endorsement by ED of any policy or practice, educational product, service, curriculum or pedagogy. In addition, this document references websites that provide information created and maintained by other entities. These references are for the reader's convenience. ED does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. This document does not constitute legal advice, create legal obligations, or impose new requirements.

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Student Transitions

1. How do schools find out that a student will transition?

Typically, the student or the student's parent or guardian will tell the school and ask that the school start treating the student in a manner consistent with the student's gender identity. Some students transition over a school break, such as summer break. Other students may undergo a gender transition during the school year, and may ask (or their parents may ask on their behalf) teachers and other school employees to respect their identity as they begin expressing their gender identity, which may include changes to their dress and appearance. Some school district or state policies address how a student or parent might provide the relevant notice to the school.

- Alaska's Matanuska-Susitna Borough School District issued guidelines ("Mat-Su Borough Guidelines") advising that transgender students or their parents or guardians should contact the building administrator or the student's guidance counselor to schedule a meeting to develop a plan to address the student's particular circumstances and needs.
- The guidelines issued by Washington's Superintendent of Public Instruction ("Washington State Guidelines") offer an example of a student who first attended school as a boy and, about midway through a school year, she and her family decided that she would transition and begin presenting as a girl. She prefers to dress in stereotypically feminine attire such as dresses and skirts. Although she is growing her hair out and consistently presents as female at school, her hair is still in a rather short, typically boyish haircut. The student, her parents, and school administrators asked her friends and teachers to use female pronouns to address her.

2. How do schools confirm a student's gender identity?

Schools generally rely on students' (or in the case of younger students, their parents' or guardians') expression of their gender identity. Although schools sometimes request some form of confirmation, they generally accept the student's asserted gender identity. Some schools offer additional guidance on this issue.

- Los Angeles Unified School District issued a policy ("LAUSD Policy") noting that "[t]here is no medical or mental health diagnosis or treatment threshold that

students must meet in order to have their gender identity recognized and respected” and that evidence may include an expressed desire to be consistently recognized by their gender identity.

- The New York State Education Department issued guidance (“NYSED Guidance”) recommending that “schools accept a student’s assertion of his/her/their own gender identity” and provides examples of ways to confirm the assertion, such as a statement from the student or a letter from an adult familiar with the student’s situation. The same guidance also offers the following example: “In one middle school, a student explained to her guidance counselor that she was a transgender girl who had heretofore only been able to express her female gender identity while at home. The stress associated with having to hide her female gender identity by presenting as male at school was having a negative impact on her mental health, as well as on her academic performance. The student and her parents asked if it would be okay if she expressed her female gender identity at school. The guidance counselor responded favorably to the request. The fact that the student presented no documentation to support her gender identity was not a concern since the school had no reason to believe the request was based on anything other than a sincerely held belief that she had a female gender identity.”
- Alaska’s Anchorage School District developed administrative guidelines (“Anchorage Administrative Guidelines”) noting that being transgender “involves more than a casual declaration of gender identity or expression but does not require proof of a formal evaluation and diagnosis. Since individual circumstances, needs, programs, facilities and resources may differ; administrators and school staff are expected to consider the needs of the individual on a case-by-case basis.”

3. How do schools communicate with the parents of younger students compared to older transgender students?

Parents are often the first to initiate a conversation with the school when their child is transgender, particularly when younger children are involved. Parents may play less of a role in an older student’s transition. Some school policies recommend, with regard to an older student, that school staff consult with the student before reaching out to the student’s parents.

- The District of Columbia Public Schools issued guidance (“DCPS Guidance”) noting that “students may choose to have their parents participate in the transition process, but parental participation is not required.” The guidance further

recommends different developmentally appropriate protocols depending on grade level. The DCPS Guidance suggests that the school work with a young student's family to identify appropriate steps to support the student, but recommends working closely with older students prior to notification of family. The guidance also provides a model planning document with key issues to discuss with the student or the student's family.

- Similarly, the Massachusetts Department of Elementary and Secondary Education issued guidance ("Massachusetts Guidance") that notes: "Some transgender and gender nonconforming students are not openly so at home for reasons such as safety concerns or lack of acceptance. School personnel should speak with the student first before discussing a student's gender nonconformity or transgender status with the student's parent or guardian. For the same reasons, school personnel should discuss with the student how the school should refer to the student, *e.g.*, appropriate pronoun use, in written communication to the student's parent or guardian."
- Chicago Public Schools' guidelines ("Chicago Guidelines") provide: "When speaking with other staff members, parents, guardians, or third parties, school staff should not disclose a student's preferred name, pronoun, or other confidential information pertaining to the student's transgender or gender nonconforming status without the student's permission, unless authorized to do so by the Law Department."
- Oregon's Department of Education issued guidance stating, "In a case where a student is not yet able to self-advocate, the request to respect and affirm a student's identity will likely come from the student's parent. However, in other cases, transgender students may not want their parents to know about their transgender identity. These situations should be addressed on a case-by-case basis and school districts should balance the goal of supporting the student with the requirement that parents be kept informed about their children. The paramount consideration in such situations should be the health and safety of the student, while also making sure that the student's gender identity is affirmed in a manner that maintains privacy and confidentiality."

Privacy, Confidentiality, and Student Records

4. How do schools protect a transgender student's privacy regarding the student's transgender status?

There are a number of ways schools protect transgender students' interests in keeping their transgender status private, including taking steps to prepare staff to consistently use the appropriate name and pronouns. Using transgender students' birth names or pronouns that do not match their gender identity risks disclosing a student's transgender status. Some state and school district policies also address how federal and state privacy laws apply to transgender students and how to keep information about a student's transgender status confidential.

- California's El Rancho Unified School District issued a regulation ("El Rancho Regulation") that provides that students have the right to openly discuss and express their gender identity, but also reminds school personnel to be "mindful of the confidentiality and privacy rights of [transgender] students when contacting parents/legal guardians so as not to reveal, imply, or refer to a student's actual or perceived sexual orientation, gender identity, or gender expression."
- The Chicago Guidelines provide that the school should convene an administrative support team to work with transgender students and/or their parents or guardians to address each student's individual needs and supports. To protect the student's privacy, this team is limited to "the school principal, the student, individuals the student identifies as trusted adults, and individuals the principal determines may have a legitimate interest in the safety and healthy development of the student."
- The Mat-Su Borough Guidelines state: "In some cases, a student may want school staff and students to know, and in other cases the student may not want this information to be widely known. School staff should take care to follow the student's plan and not to inadvertently disclose information that is intended to be kept private or that is protected from disclosure (such as confidential medical information)."
- The Massachusetts Guidance advises schools "to collect or maintain information about students' gender only when necessary" and offers an example: "One school reviewed the documentation requests it sent out to families and noticed that field trip permission forms included a line to fill in indicating the student's gender. Upon consideration, the school determined that the requested information was irrelevant to the field trip activities and deleted the line with the gender marker request."

5. How do schools ensure that a transgender student is called by the appropriate name and pronouns?

One of the first issues that school officials may address when a student notifies them of a gender transition is determining which name and pronouns the student prefers. Some schools have adopted policies to prepare all school staff and students to use a student's newly adopted name, if any, and pronouns that are consistent with a student's gender identity.

- A regulation issued by Nevada's Washoe County School District ("Washoe County Regulation") provides that: "Students have the right to be addressed by the names and pronouns that correspond to their gender identity. Using the student's preferred name and pronoun promotes the safety and wellbeing of the student. When possible, the requested name shall be included in the District's electronic database in addition to the student's legal name, in order to inform faculty and staff of the name and pronoun to use when addressing the student."
- A procedure issued by Kansas City Public Schools in Missouri ("Kansas City Procedure") notes that: "The intentional or persistent refusal to respect the gender identity of an employee or student after notification of the preferred pronoun/name used by the employee or student is a violation of this procedure."
- The NYSED Guidance provides: "As with most other issues involved with creating a safe and supportive environment for transgender students, the best course is to engage the student, and possibly the parent, with respect to name and pronoun use, and agree on a plan to reflect the individual needs of each student to initiate that name and pronoun use within the school. The plan also could include when and how this is communicated to students and their parents."
- The DCPS Guidance includes a school planning guide for principals to review with transgender students as they plan how to ensure the school environment is safe and supportive. The school planning guide allows the student to identify the student's gender identity and preferred name, key contacts at home and at school, as well as develop plans for access to restrooms, locker rooms, and other school activities.

6. How do schools handle requests to change the name or sex designation on a student's records?

Some transgender students may legally change their names. However, transgender students often are unable to obtain identification documents that reflect their gender identity (*e.g.*, due to financial limitations or legal restrictions imposed by state or local law). Some school district policies specify that they will use the name a student identifies as consistent with the student's gender identity regardless of whether the student has completed a legal name change.

- The NYSED Guidance provides that school records, including attendance records, transcripts, and Individualized Education Programs, be updated with the student's chosen name and offers an example: "One school administrator dealt with information in the student's file by starting a new file with the student's chosen name, entered previous academic records under the student's chosen name, and created a separate, confidential folder that contained the student's past information and birth name."
- The DCPS Guidance notes: "A court-ordered name or gender change is not required, and the student does not need to change their official records. If a student wishes to go by another name, the school's registrar can enter that name into the 'Preferred First' name field of [the school's] database."
- The Kansas City Procedure recognizes that there are certain situations where school staff or administrators may need to report a transgender student's legal name or gender. The procedure notes that in these situations, "school staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information."
- The Chicago Guidelines state: "Students are not required to obtain a court order and/or gender change or to change their official records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity."
- The Massachusetts Guidance also addresses requests to amend records after graduation: "Transgender students who transition after having completed high school may ask their previous schools to amend school records or a diploma or transcript that include the student's birth name and gender. When requested, and when satisfied with the gender identity information provided, schools should amend the student's record."

Sex-Segregated Activities and Facilities

7. How do schools ensure transgender students have access to facilities consistent with their gender identity?

Schools often segregate restrooms and locker rooms by sex, but some schools have policies that students must be permitted to access facilities consistent with their gender identity and not be required to use facilities inconsistent with their gender identity or alternative facilities.

- The Washington State Guidelines provide: “School districts should allow students to use the restroom that is consistent with their gender identity consistently asserted at school.” In addition, no student “should be required to use an alternative restroom because they are transgender or gender nonconforming.”
- The Washoe County Regulation provides: “Students shall have access to use facilities that correspond to their gender identity as expressed by the student and asserted at school, irrespective of the gender listed on the student’s records, including but not limited to locker rooms.”
- The Anchorage Administrative Guidelines emphasize the following provision: “However, staff should not require a transgender or gender nonconforming student/employee to use a separate, nonintegrated space unless requested by the individual student/employee.”

8. How do schools protect the privacy rights of all students in restrooms or locker rooms?

Many students seek additional privacy in school restrooms and locker rooms. Some schools have provided students increased privacy by making adjustments to sex-segregated facilities or providing all students with access to alternative facilities.

- The Washington State Guidelines provide that any student who wants increased privacy should be provided access to an alternative restroom or changing area. The guidelines explain: “This allows students who may feel uncomfortable sharing the facility with the transgender student(s) the option to make use of a separate restroom and have their concerns addressed without stigmatizing any individual student.”

- The NYSED Guidance gives an example of accommodating all students' interest in privacy: "In one high school, a transgender female student was given access to the female changing facility, but the student was uncomfortable using the female changing facility with other female students because there were no private changing areas within the facility. The principal examined the changing facility and determined that curtains could easily be put up along one side of a row of benches near the group lockers, providing private changing areas for any students who wished to use them. After the school put up the curtains, the student was comfortable using the changing facility."
- Atherton High School, in Jefferson County, Kentucky, issued a policy that offers examples of accommodations to address any student's request for increased privacy: "use of a private area within the public area of the locker room facility (e.g. nearby restroom stall with a door or an area separated by a curtain); use of a nearby private area (e.g. nearby restroom); or a separate changing schedule."
- The DCPS Guidance recommends talking to students to come up with an acceptable solution: "Ultimately, if a student expresses discomfort to any member of the school staff, that staff member should review these options with the student and ask the student permission to engage the school LGBTQ liaison or another designated ally in the building."

9. How do schools ensure transgender students have the opportunity to participate in physical education and athletics consistent with their gender identity?

Some school policies explain the procedures for establishing transgender students' eligibility to participate in athletics consistent with their gender identity. Many of those policies refer to procedures established by state athletics leagues or associations.

- The NYSED Guidance explains that "physical education is a required part of the curriculum and an important part of many students' lives. Most physical education classes in New York's schools are coed, so the gender identity of students should not be an issue with respect to these classes. Where there are sex-segregated classes, students should be allowed to participate in a manner consistent with their gender identity."
- The LAUSD Policy provides that "participation in competitive athletics, intramural sports, athletic teams, competitions, and contact sports shall be facilitated in a

manner consistent with the student's gender identity asserted at school and in accordance with the California Interscholastic Federation bylaws." The California Interscholastic Federation establishes a panel of professionals, including at least one person with training or expertise in gender identity health care or advocacy, to make eligibility decisions.

- The Rhode Island Interscholastic League's policy states that all students should have the opportunity to participate in athletics consistent with their gender identity, regardless of the gender listed on school records. The policy provides that the league will base its eligibility determination on the student's current transcript and school registration information, documentation of the student's consistent gender identification (*e.g.*, affirmed written statements from student, parent/guardian, or health care provider), and any other pertinent information.

10. How do schools treat transgender students when they participate in field trips and athletic trips that require overnight accommodations?

Schools often separate students by sex when providing overnight accommodations. Some school policies provide that students must be treated consistent with their gender identity in making such assignments.

- Colorado's Boulder Valley School District issued guidelines ("Boulder Valley Guidelines") providing that when a school plans overnight accommodations for a transgender student, it should consider "the goals of maximizing the student's social integration and equal opportunity to participate in overnight activity and athletic trips, ensuring the [transgender] student's safety and comfort, and minimizing stigmatization of the student."
- The Chicago Guidelines remind school staff: "In no case should a transgender student be denied the right to participate in an overnight field trip because of the student's transgender status."

Additional Practices to Support Transgender Students

11. What can schools do to make transgender students comfortable in the classroom?

Classroom practices that do not distinguish or differentiate students based on their gender are the most inclusive for all students, including transgender students.

- The DCPS Guidance suggests that “[w]herever arbitrary gender dividers can be avoided, they should be eliminated.”
- The Massachusetts Guidance states that “[a]s a general matter, schools should evaluate all gender-based policies, rules, and practices and maintain only those that have a clear and sound pedagogical purpose.”
- Minneapolis Public Schools issued a policy providing that students generally should not be grouped on the basis of sex for the purpose of instruction or study, but rather on bases such as student proficiency in the area of study, student interests, or educational needs for acceleration or enrichment.
- The Maryland State Department of Education issued guidelines that include an example of eliminating gender-based sorting of students: “Old Practice: boys line up over here.” New Practice: birthdays between January and June; everybody who is wearing something green, etc.”

12. How do school dress codes apply to transgender students?

Dress codes that apply the same requirements regardless of gender are the most inclusive for all students and avoid unnecessarily reinforcing sex stereotypes. To the extent a school has a dress code that applies different standards to male and female students, some schools have policies that allow transgender students to dress consistent with their gender identity.

- Wisconsin’s Shorewood School District issued guidelines (“Shorewood Guidelines”) that allow students to dress in accordance with their gender identity and remind school personnel that they must not enforce a dress code more strictly against transgender and gender nonconforming students than other students.
- The Washington State Guidelines encourage school districts to adopt gender-neutral dress codes that do not restrict a student’s clothing choices on the basis of gender: “Dress codes should be based on educationally relevant considerations, apply

consistently to all students, include consistent discipline for violations, and make reasonable accommodations when the situation requires an exception.”

13. How do schools address bullying and harassment of transgender students?

Unfortunately, bullying and harassment continue to be a problem facing many students, and transgender students are no exception. Some schools make clear in their nondiscrimination statements that prohibited sex discrimination includes discrimination based on gender identity and expression. Their policies also address this issue.

- The NYSED Guidance stresses the importance of protecting students from bullying and harassment because “[the] high rates experienced by transgender students correspond to adverse health and educational consequences,” including higher rates of absenteeism, lower academic achievement, and stunted educational aspirations.
- The Shorewood Guidelines specify that harassment based on a student’s actual or perceived transgender status or gender nonconformity is prohibited and notes that these complaints are to be handled in the same manner as other discrimination, harassment, and bullying complaints.
- The DCPS Guidance provides examples of prohibited harassment that transgender students sometimes experience, including misusing an individual’s preferred name or pronouns on purpose, asking personal questions about a person’s body or gender transition, and disclosing private information.

14. How do school psychologists, school counselors, school nurses, and school social workers support transgender students?

School counselors can help transgender students who may experience mental health disorders such as depression, anxiety, and posttraumatic stress. Mental health staff may also consult with school administrators to create inclusive policies, programs, and practices that prevent bullying and harassment and ensure classrooms and schools are safe, healthy, and supportive places where all students, including transgender students, are respected and can express themselves. Schools will be in a better position to support transgender students if they communicate to all students that resources are available, and that they are competent to provide support and services to any student who has questions related to gender identity.

- The NYSED Guidance suggests that counselors can serve as a point of contact for transgender students who seek to take initial steps to assert their gender identity in school.
- The Chicago Guidelines convene a student administrative support team to determine the appropriate supports for transgender students. The team consists of the school principal, the student, adults that the student trusts, and individuals the principal determines may have a legitimate interest in the safety and healthy development of the student.

15. How do schools foster respect for transgender students among members of the broader school community?

Developing a clear policy explaining how to support transgender students can help communicate the importance the school places on creating a safe, healthy, and nondiscriminatory school climate for all students. Schools can do this by providing educational programs aimed at staff, students, families, and other community members.

- The Massachusetts Guidance informs superintendents and principals that they “need to review existing policies, handbooks, and other written materials to ensure they are updated to reflect the inclusion of gender identity in the student antidiscrimination law, and may wish to inform all members of the school community, including school personnel, students, and families of the recent change to state law and its implications for school policy and practice. This could take the form of a letter that states the school’s commitment to being a supportive, inclusive environment for all students.”
- The NYSED Guidance states that “school districts are encouraged to provide this guidance document and other resources, such as trainings and information sessions, to the school community including, but not limited to, parents, students, staff and residents.”

16. What topics do schools address when training staff on issues related to transgender students?

Schools can reinforce commitments to providing safe, healthy, and nondiscriminatory school climates by training all school personnel about appropriate and respectful treatment of all students, including transgender students.

- The Massachusetts Guidance suggests including the following topics in faculty and staff training “key terms related to gender identity and expression; the development of gender identity; the experiences of transgender and other gender nonconforming students; risks and resilience data regarding transgender and gender nonconforming students; ways to support transgender students and to improve school climate for gender nonconforming students; [and] gender-neutral language and practices.”
- The El Rancho Regulation states that the superintendent or designee “shall provide to employees, volunteers, and parents/guardians training and information regarding the district’s nondiscrimination policy; what constitutes prohibited discrimination, harassment, intimidation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.”

17. How do schools respond to complaints about the way transgender students are treated?

School policies often provide that complaints from transgender students be handled under the same policy used to resolve other complaints of discrimination or harassment.

- The Boulder Valley Guidelines provide that “complaints alleging discrimination or harassment based on a person’s actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.”
- The Anchorage Administrative Guidelines provide that “students may also use the Student Grievance Process to address any civil rights issue, including transgender issues at school.”

Terminology

18. What terms are defined in current school policies on transgender students?

Understanding the needs of transgender students includes understanding relevant terminology. Most school policies define commonly used terms to assist schools in understanding key concepts relevant to transgender students. The list below is not exhaustive, and only includes examples of some of the most common terms that school policies define.

- *Gender identity* refers to a person's deeply felt internal sense of being male or female, regardless of their sex assigned at birth. (Washington State Guidelines)
- *Sex assigned at birth* refers to the sex designation, usually "male" or "female," assigned to a person when they are born. (NYSED Guidance)
- *Gender expression* refers to the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms. (Washoe County Regulation)
- *Transgender* or *trans* describes a person whose gender identity does not correspond to their assigned sex at birth. (Massachusetts Guidance)
- *Gender transition* refers to the process in which a person goes from living and identifying as one gender to living and identifying as another. (Washoe County Regulation)
- *Cisgender* describes a person whose gender identity corresponds to their assigned sex at birth. (NYSED Guidance)
- *Gender nonconforming* describes people whose gender expression differs from stereotypic expectations. The terms *gender variant* or *gender atypical* are also used. Gender nonconforming individuals may identify as male, female, some combination of both, or neither. (NYSED Guidance)
- *Intersex* describes individuals born with chromosomes, hormones, genitalia and/or other sex characteristics that are not exclusively male or female as defined by the medical establishment in our society. (DCPS Guidance)
- *LGBTQ* is an acronym that stands for "lesbian, gay, bisexual, transgender, and queer/questioning." (LAUSD Policy)

- *Sexual orientation* refers to a person's emotional and sexual attraction to another person based on the gender of the other person. Common terms used to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, and bisexual. Sexual orientation and gender identity are different. (LAUSD Policy)

19. How do schools account for individual preferences and the diverse ways that students describe and express their gender?

Some students may use different terms to identify themselves or describe their situations. For example, a transgender male student may identify simply as male, consistent with his gender identity. The same principles apply even if students use different terms. Some school policies directly address this question and provide additional guidance.

- The Washington State Guidelines recognize how “terminology can differ based on religion, language, race, ethnicity, age, culture and many other factors.”
- Washington's Federal Way School District issued a resource guide that states: “Keep in mind that the meaning of gender conformity can vary from culture to culture, so these may not translate exactly to Western ideas of what it means to be transgender. Some of these identities include Hijra (South Asia), Fa'afafine (Samoa), Kathoey (Thailand), Travesti (South America), and Two-Spirit (Native American/First Nations).”
- The Washoe County Regulation, responding to cultural diversity within the state, offers examples of “ways in which transgender and gender nonconforming youth describe their lives and gendered experiences: trans, transsexual, transgender, male-to-female (MTF), female-to-male (FTM), bi-gender, two-spirit, trans man, and trans woman.”
- The DCPS Guidance provides this advice to staff: “If you are unsure about a student's preferred name or pronouns, it is appropriate to privately and tactfully ask the student what they prefer to be called. Additionally, when speaking about a student it is rarely necessary to label them as being transgender, as they should be treated the same as the rest of their peers.”

Cited Policies on Transgender Students

- Anchorage School District (AK): *Administrative Guidelines: Working with Transgender and Gender Nonconforming Students and Employees* (2015) (on file with ED)
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DE 22-2

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DREW ADAMS, a minor, by and through his next friend and mother, ERICA ADAMS KASPER,

No. 3:17-cv-00739-TJC-JBT

Plaintiff,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; TIM FORSON, in his official capacity as Superintendent of Schools for the St. Johns County School District; and LISA KUNZE, in her official capacity as Principal of Allen D. Nease High School,

Defendants.

DECLARATION OF ERICA ADAMS KASPER

I, Erica Adams Kasper, pursuant to 28 U.S.C §1746, declare as follows:

1. I am over the age of eighteen (18) and make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. I am the mother of Drew Adams. I am 40 years old, and I reside in Jacksonville Beach, Florida.

3. I am the proud parent of a boy, who is also transgender.

4. Drew's sex assigned at birth was female, but I suspected he was transgender before Drew told me. I had watched him become increasingly anxious, depressed, and withdrawn, especially as he went through female puberty. It was difficult then, and now, to

watch your child experience serious depression and anxiety. Like any parent, I want Drew to be happy and live a full life, in this case as the boy that he is.

5. In the days before Drew told me he is transgender, I was watching television with Drew when he saw an episode of The Ellen DeGeneres Show that included an interview with a transgender man. I noticed right away how mesmerized he was by the interview, and I could see the wheels turning in his head.

6. I had a moment of dread, and I thought to myself, “things are about to get really hard.” But I also knew that Drew was profoundly unhappy living as a girl. So, I waited until he was ready to talk to me. He messaged me on Facebook not long after, asking if he could have a binder, to bind his breasts and make his chest look more masculine. I approached him to talk about his desire for a binder, and I asked, “Are you transgender?” He said yes. His answer was not a surprise by that point – I was just waiting until he was comfortable enough to tell me.

7. Any worry I had about Drew starting to transition socially and medically, to live as the boy he knew himself to be, melted away as soon as I saw how dramatically it improved his quality of life. The change in his mood was drastic, it was as if someone had flipped a light switch. The anxiety and depression he experienced living as a girl, and going through female puberty, was lifted away. Drew became an increasingly confident and positive kid after he began to transition. Through this process, I now understand that the only way Drew can be truly happy and reach his full potential as a person is if he can live authentically as the boy that he is.

8. Drew has been diagnosed with gender dysphoria, and multiple providers have confirmed the diagnosis. After we were unable to find a local physician with sufficient expertise to treat Drew, we were referred to the Duke Child and Adolescent Gender Care clinic (“Duke Clinic”) in North Carolina. Our first visit to the Duke Clinic was at the end of March 2016.

9. In June 2016, Drew was given his first testosterone prescription. When the doctor provided the prescription during our appointment, Drew could barely restrain himself from asking whether he could pick up the prescription right away and administer the dose himself. The doctor said he could go right ahead, and we went to pick up Drew’s prescription. I remember that Drew exclaimed “I did it!” as soon as he had given himself the shot. He was so excited that he was grinning from ear to ear. He was happier on that day than I had ever seen him before.

10. Drew had a double mastectomy at the end of May 2017, as one of the next major steps in his transition. The surgery, which gives his chest a more masculine appearance, has clearly brought Drew a profound sense of relief and peace. The day he learned he was approved for this surgery, Drew cried as he was overwhelmed with joy. As with the testosterone, this step to affirm his gender as a boy was once again one of the happiest moments of his life. As a result, as a parent, it was one of mine as well.

11. Along with taking these medical steps to transition, Drew has also updated the gender marker on his driver’s license from female to male, to have his identification accurately reflect who he is.

12. Although Drew has consistently used the men's restroom in a host of settings since the summer of 2015, he came home on or around September 22, 2015 and told me that he had been pulled out of class and summoned to the counselor's office, where he met with three guidance counselors, including then-IB Program guidance counselor Kim Hollis. He said that someone had anonymously reported his use of the boys' restroom, and that he was instructed to use only gender neutral restrooms on campus from that point forward.

13. Prohibiting the use of boys' restrooms at school began a chapter of heartache and distress for Drew. I felt hurt and angry as I watched this take a huge toll on him. Drew had been progressing so well in his transition, and the school's new policy undermined Drew's identity on a daily basis.

14. I could see that Drew experienced the school's singling out of him for differential treatment as a profound negation of his identity as a boy. I observed that this was extremely painful and difficult for him and we have discussed its impact countless times since that day. Drew began restricting his fluid intake, and attempting to hold his bladder throughout the day so as not to have to use restrooms that were demeaning and inconvenient for him. Requiring him to use a gender neutral restroom made him feel singled out as different. I recall him needing to rush home to use the restroom after holding his bladder for hours. It was heart-breaking, and I tried to address it with school officials in an effort to avoid taking legal action.

15. I sent letters to then-Principal Kyle Dresback and then-Superintendent Joseph Joyner right after Drew was first instructed on or around September 22, 2015 not to use boys' restrooms. My letters requested that Drew be treated as equal to all other boys in the school,

and allowed to use the boys' restrooms. I did not receive a response from Superintendent Joyner.

16. Shortly thereafter, in early October 2015, Drew and I met with Principal Dresback, social workers Holly Arkin and Christy McKendrick, and Director of Student Services Sallyanne Smith. Principal Dresback did not say much during the meeting. Ms. Smith was kind and said that several staff had recently attended a conference in Fort Lauderdale that discussed best practices for transgender students. Ms. Smith said they wanted to accommodate Drew, but that the school's hands were tied without approval from the St. Johns County School District ("District"), and that this was "a District issue."

17. I next scheduled a meeting with two officials from the District, and met on or around November 23 or 24, 2015, with then-Associate Superintendent Cathy Mittelstadt and Deputy Superintendent Brennan Asplen. Mr. Asplen repeatedly raised the issue of "biology" during our meeting, which he used to refer to genitals. I had brought an assortment of studies, articles, and other materials about transgender students to help the District officials understand how important equal treatment is, but Mr. Asplen explained his view that "98% of the people in this District would not understand" if Drew were allowed to use the boys' restroom. Mr. Asplen said he was more concerned about legal action by the parent of a cisgender (*i.e.*, non-transgender) child than legal action by Drew.

18. I offered during that meeting, and later via email, to help educate other parents in the District about transgender children, but was rebuffed. Mr. Asplen again focused his attention on the issue of genitals and asked what would happen if a transgender girl were to come out of a stall and "wave her penis around." I said words to the effect of, "Sir, I don't

know what kind of bathrooms you've been in, but I've never seen a naked person in a bathroom." I pointed out that lewd behavior by *any* student is already against the law.

19. I contacted the U.S. Department of Education's Office for Civil Rights ("OCR") in November 2015 to file a complaint. I submitted an online form, and roughly a week later OCR contacted me and said they would like to look into the complaint. OCR informed me that they asked the District if it would like to mediate the matter, and that the District declined. OCR then opened a full investigation. The assigned investigator, Roger Mills, collected a map and photos of the campus, and informed me that he had interviewed a variety of officials with the school and the District.

20. As the investigation continued, Mr. Mills suggested that I reach out to the school to continue the dialogue. On April 8, 2016, I met with Ms. Mittelstadt, Ms. Arkin, and Ms. McKendrick. Ms. Mittelstadt described this as a "civil rights issue," but said that the District is "too conservative" and "not there yet." I pointed out that other Florida school districts, like Broward County Public Schools, treat their transgender students equally by permitting them to use the restroom that matches their gender identity. Unfortunately, this meeting too yielded no progress.

21. Drew and I met again with Ms. Mittelstadt on May 4, 2016, but we were once again unsuccessful in securing a policy change that would allow Drew equal access to the boys' restrooms.

22. Unfortunately, this policy has had a very negative impact on Drew and his progress with his transition. My son continues to be treated by school officials as less than

other students by being relegated to the gender neutral restrooms. This is profoundly demeaning, distressing, and upsetting to him.

23. The most frustrating part of this is that the school officials have articulated no good reason for this policy, nor have they identified any instance of misconduct or inappropriate behavior that would support this action against Drew in particular. At no point during any of my meetings with school officials did anyone provide information or evidence suggesting that allowing Drew into the boys' restroom would cause any harm to others.

24. When Drew is in all other settings outside of school, he uses the men's restroom. To my knowledge, there has never been an incident or complaint by others with his restroom use outside of school.

25. Like any other parent, I want my son to have every chance for success in life. A critical part of that for Drew is having his core male gender identity respected. Drew has shown remarkable improvement in his wellbeing and happiness after being affirmed as the male that he is, including through the process of transition. This is why the school's interference with his transition process, by shunting him into restrooms that repudiate his identity as a boy, is so distressing to watch, and even more distressing for Drew to experience.

26. I continue to advise Drew to follow the school's rules, even though they seem deeply discriminatory and unfair. Although this policy is hurting Drew, I do not want him to wind up with a disciplinary record, given that he is an honors student with a bright future ahead and plans to attend medical school. The situation makes me feel angry, sad, and absolutely helpless to protect my son. I would not wish these circumstances on any person,

but it feels especially cruel and mean to impose them on a powerless child. It is difficult enough being a transgender teenager, but these discriminatory practices have compounded the situation and are creating increased stress and anxiety in Drew, who is otherwise making great progress. Drew and I talk frequently about our hope that there will eventually be a day when no parent or child has to suffer through this type of discrimination. This hope is what has fueled me to participate in this lawsuit in an effort to make the situation better for Drew, and every other transgender child, as they all deserve to be treated like any other boy or girl their age.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 18, 2017.



Erica Adams Kasper