



In May 2016, the U.S. Department of Education Office of Civil Rights (OCR) published a “Dear Colleague Letter” with guidance on supporting transgender students on college and university campuses and remaining in compliance with Title IX of the Education Amendments of 1972. The Maricopa County Community College District’s non-discrimination policy states that “individuals will not be discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, citizenship status (including document abuse), age, disability, veteran status or genetic information.” Over the next few months, the Maricopa Community Colleges will be taking steps to complete assurance tasks to ensure that the district is in compliance with regulations and continues to foster an environment of inclusion for all students.

At the Maricopa Community Colleges, we aim to foster a learning environment of inclusion, where all students feel safe and welcomed to learn. Please read the following frequently asked questions about working with transgender students and Maricopa’s guidance for employees.

QUESTION	ANSWER		
<p>WHAT ARE THE REQUIREMENTS UNDER TITLE IX RELATED TO TRANSGENDER STUDENTS?</p>	<p>Title IX states that “a college must not treat a transgender student differently from the way it treats other students of the same gender identity”. If the college is notified that the student will assert a gender identity that differs from previous representations or records, the college will begin treating the student consistent with the student’s gender identity. There is no medical diagnosis or treatment requirement that a student must meet as a prerequisite to being treated consistent with their gender identity. A college’s failure to treat students consistent with their gender identity may create or contribute to a hostile environment in violation of Title IX.</p>		
<p>WHAT DOES IT MEAN TO BE “TRANSGENDER”?</p>	<p>A transgender individual or trans person is an individual whose biological or anatomical sex, or sex assigned at birth, does not match their gender identity.</p>		
<p>WHAT IS THE DIFFERENCE BETWEEN LEGAL SEX, GENDER IDENTITY, AND GENDER EXPRESSION?</p>	<p>Legal sex is often the biological or anatomical sex an individual is assigned at birth or what appears on their legal documentation. Gender identity is the gender with which an individual identifies internally, mentally, or emotionally, while gender expression is the gender an individual expresses externally through dress and appearance. An individual’s legal sex does not always match their gender identity or gender expression. Below are examples of legal sex and gender identity.</p>		
LEGAL SEX	GENDER IDENTITY		
<p>Female Male</p>	<p>Agender Androgyne Demigender</p>	<p>Genderqueer or Gender Fluid Man Questioning or Unsure</p>	<p>Trans man Trans woman Woman</p>
<p>HOW DO I KNOW HOW TO ADDRESS A STUDENT WHO IS TRANSGENDER?</p>	<p>Maricopa is making every effort for all students to feel welcomed on our campuses. Students can elect to identify a “preferred” name when they apply for admission. Students who are transgender may use this preferred name field to enter the name by which they identify if it does not match their legal name. The preferred name is the name that appears on all faculty rosters.</p> <p>Additionally, a student’s personal information regarding gender identity is protected under FERPA and cannot be disclosed as it would be considered harmful or an invasion of privacy.</p>		

<p>HOW WILL I KNOW IF THERE IS A STUDENT WHO IS TRANSGENDER IN MY CLASSROOM?</p>	<p>Since students' preferred name should appear on the faculty roster, you will not know if there is a transgender student in your classroom. We recognize that many instructors and faculty members call roll on the first day and subsequent days of class. We caution against misgendering or "outing" students who are transgender in the classroom, intentionally or unintentionally, as this can not only cause the student emotional or mental strife, but can also be a violation of Title IX regulations. As a result, we encourage all employees to avoid using prefixes such as "Mr.," "Ms.," and "Mrs."</p>
<p>WHAT FACILITIES DO I DIRECT A STUDENT TO USE IF THEY ARE TRANSGENDER?</p>	<p>Per Title IX, students must be allowed to use the facility of the gender with which they identify. A student should never be directed to use a single-stall facility unless the student requests to know where single-stall facilities are available.</p>
<p>I AM TAKING A GROUP OF STUDENTS TO A CONFERENCE OR TOURNAMENT AND THEY WILL BE STAYING AT A FACILITY OVERNIGHT. AM I EXPECTED TO GIVE MY STUDENT WHO IS TRANSGENDER THEIR OWN ACCOMMODATIONS?</p>	<p>Per Title IX, students must be allowed to access housing or overnight accommodations consistent with their gender identity. A student who is transgender may not be required to stay in single-occupancy accommodations or disclose personal information when other students are not required to do the same. However, like facilities, a student can be granted single-occupancy accommodations if the student makes the request.</p>
<p>TO WHAT EXTENT CAN A STUDENT WHO IS TRANSGENDER PARTICIPATE ON ATHLETIC TEAMS?</p>	<p>Per the NJCAA Handbook and Casebook, Article I – Membership Dues and Responsibilities, Section 5, C. TRANSGENDER:</p> <p>"C.1. A transgender male (female to male) student-athlete who has received a medical exception for treatment with testosterone for gender transition may compete on a men's team but is no longer eligible to compete on a women's team.</p> <p>"C.2. A transgender female (male to female) student-athlete being treated with testosterone suppression medication for gender transition may continue to compete on a men's team but may not compete on a women's team until completing one calendar year of documented testosterone-suppression treatment."</p>
<p>WHAT IF A STUDENT WHO IS TRANSGENDER COMES TO ME AND INFORMS ME THEY ARE BEING BULLIED OR DISCRIMINATED AGAINST?</p>	<p>Maricopa's Sexual Harassment Policy states that discrimination is "an unequal treatment of a student based on the student's actual or perceived gender, sexual orientation, or pregnancy." If a student who is transgender is being bullied or discriminated against, you are required to report the incident(s) to your college's Title IX Coordinator. To find out who your college's Title IX Coordinator is, visit <a href="https://www.maricopa.edu/compliance/title-ix-and-preventing-sexual-harassment/title-ix-coordinators">https://www.maricopa.edu/compliance/title-ix-and-preventing-sexual-harassment/title-ix-coordinators</a>.</p>
<p>WHAT IS MARICOPA DOING TO ADDRESS COMPLIANCE TOPICS RELATED TO STUDENTS ON CAMPUS WHO ARE TRANSGENDER?</p>	<p>Maricopa has several assurance tasks that will be completed over the course of the academic year. This includes the following:</p> <ul style="list-style-type: none"> <li>• Completing a facilities audit on all campuses to ensure sufficient gender-neutral facilities are available for use by all individuals. A map of gender-neutral facilities for all campuses will be made available to students, employees, and visitors on the Maricopa.edu website.</li> <li>• Include Legal Sex and Gender Identity on the admission application so that students can accurately identify and promote an inclusive educational environment.</li> </ul>
<p>RESOURCES</p>	<p><a href="#">2016-17 NJCAA Official Handbook &amp; Casebook</a></p> <p><a href="#">Maricopa County Community College District (MCCCD) Preventing Sexual Harassment and Violence website</a></p> <p><a href="#">Maricopa County Community College District (MCCCD) Sexual Harassment Policy Regarding Adding Gender Identity to Maricopa's Non-Discrimination Policies</a></p> <p><a href="#">United States Department of Education, Office for Civil Rights and United States Department of Justice, Civil Rights Division, "Dear Colleague Letter on Transgender Students," May 13, 2016.</a></p>