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Frederick County Board of Education
191 South East Street
Frederick, Maryland 21701

RE: Policy 443

To the Members of the Frederick County Board of Education:

Policy 443 is now well into its second year of operation. During that time, Frederick County Public Schools has taken certain important steps to protect the rights of its transgender and gender non-conforming students, including vigorously defending the policy in litigation, using preferred name and gender in certain of your electronic recordkeeping systems, and creating an informational video on the policy available on your website. However, events following the spring 2018 Frederick County Public Schools production of *Shrek the Musical* and continuing on into today illustrate areas where increased training and support is critical.

As you are aware, the *Shrek* production originally used terms that are recognized as transphobic slurs. Several parents complained to the school in response. Your response to FreeState Justice's public information act request revealed that no records exist for any investigation into whether the use of transphobic slurs violated Policy 443. Moreover, when one parent was fired from her job because of her advocacy around this issue, Brad Young, President of the Frederick County Board of Education, took the highly unusual step of writing to her employer to express appreciation at her removal from her position. Again, your response to the public information act request could point to no other time that the Board of Education had ever taken a step like this before.

Policy 443, on paper, is no doubt "one of the most positive and inclusive policies in the State of Maryland regarding the rights of transgender and gender nonconforming students[.]" However, we are concerned that there has not been sufficient training by the Board of Education's or direction to its members and employees on the implementation of Policy 443. For instance, although there was a training on Policy 443 in October 2017, it mainly centered on the school's student

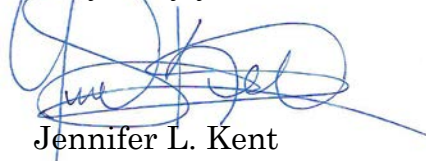
records system. Indeed, the email correspondence produced in response to the public information act request referred to the event as a “training” in air quotes, suggesting this was an event not taken seriously.

As you are well aware, school is an incredibly harsh place for gender diverse students. [The Maryland breakout of the 2015 U.S. Transgender survey](#) reports that 58% of students who were out or perceived as transgender experienced verbal harassment during their secondary school years. That the Board of Education would not at least acknowledge the deep harm and breach of trust that a musical using transphobic slurs would cause its transgender and gender non-conforming students vividly illustrates the need for more in-depth training on creating inclusive and safe spaces for gender diverse students. This is especially critical given the [accompanying bullying policy that prohibits harassment](#)—including name calling—of gender diverse students. How are Frederick County students supposed to understand the appropriate conduct necessary to create affirming spaces for their gender diverse classmates if the Board of Education does not model such conduct for them?

While we are appreciative of your initial steps to create an inclusive environment for your gender diverse students, we note that there is much more work to be done. Increased and enriched training is the first step in this critical work. Listening respectfully to the voices of LGBT parent and student activists, and taking action in response to their concerns, are others. We encourage you to work with local activists, students, and parents on this issue.

Thank you for your attention to this matter. We are more than happy to discuss this further at a mutually convenient time if you so desire. I can be reached at the contact information on listed on the first page of this letter.

Very truly yours,



Jennifer L. Kent