

# SAD 17 policy committee revisits gender identity policy

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By Nicole Carter

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PARIS — Members of Maine Administrative District 17's policy committee met Monday to reiterate the need to write a policy to address the needs of at-risk students who are part of the district's LGBTQIA+ population.

In his second policy committee meeting since rejoining the school board by appointment, Director Troy Ripley of Paris asked for clarification on how the policy would move forward after the board voted to indefinitely table the draft Gender Identity Policy ACAA on Dec. 5.

Ripley was not appointed to the board until Dec. 20.

"My concern is that the full board voted unanimously to put this to bed. Revisiting this issue, or the need for this policy, was not mentioned at all," Ripley said. "To revisit this issue, it would be my hope that we would inform the full board."

"The official decision was to table it indefinitely," Director Judy Green of Waterford, who is also chair of the policy committee, explained to Ripley. "Some board members thought that might have meant scrub it. Our parliamentarian (Mark Heidmann of Harrison) showed them that the Roberts Rules allows it to be tabled, without setting a date, that it will be brought up again."

"And the rule 'prohibits the reintroduction of the motion at the same meeting' comes in," Heidmann added. "It cannot be introduced at the same meeting. There is nothing whatever that says it is simply dead. It was explicitly stated at the meeting that the committee would be revisiting it."

The Dec. 5 vote "was made to postpone it indefinitely," Ripley offered. "That is a polite way to kill something."

"I'm saying that's not true," Heidmann said.

"My point would be," Ripley continued. "That you have an amount of community, and the full board, that thought you were killing it, so it would be prudent. So we wouldn't find ourselves, in my opinion, right back where we were. So we're trying to bring the same issue back up. If you'd had a discussion in full board, to Judy's point, we could have said 'we're going to change this, we're going to talk about substantially changing what we've done.'"

Heidmann repeated that he had been explicit in his statements ahead of the motion to table ACAA indefinitely that it would be brought back to the board, in a first reading, and Greene added that Heidmann's statements about continuing work on a revised policy were reported by the Advertiser Democrat.

The committee then turned its attention to substantive review of the policy, starting over with the sample provided by the district's law firm, Drummond Woodsum, to guide consideration in drafting a policy for the district.

Among the concerns directors discussed was policy language, eliminating the word "shall" in favor of the word "should" when describing district employee interactions with transgender students, and revising the policy so that it clearly states parents will be informed if their child asserts at school that they identify as transgender.

Heidmann also said a new policy draft will explicitly describe what district staff cannot do.

Ripley asked members of the policy committee to explain why it is necessary to have a policy at all.

"What exactly is the policy trying to accomplish?" Ripley asked. "Ninety-four percent of Maine schools do not have these types of policies ... There has been no state or federal guidance on these types of policies, yet. It seems to me that the schools that have moved them forward have almost one hundred percent found themselves in litigation. Why would we not wait for guidelines and directives?"

"Are you saying that one hundred percent of the schools in the state with these policies are being sued?" Green asked.

Ripley acknowledged that “some” would be a more accurate assessment and listed Portland, Damariscotta and Manchester, New Hampshire, as districts involved with gender identity issues.

According to news reports Portland recently banned a substitute teacher who had shared a transgender-themed TikTok video with middle school-aged students. In Damariscotta, a parent addressed that district’s school board after a social worker secretly provided her child with a breast binder. And, last fall, a suit was brought by a parent in Manchester, New Hampshire about their transgender child which was dismissed in that district.

SAD 17 Director Natalie Andrews explained that a policy would address the actions of a district employee providing a breast binder to a child.

“A policy enables us to provide training and limitations to what teachers are allowed to do,” she said. “In the case of the teacher who did binding to that one student? They have no policy stating that you can’t do that. It puts parameters around what teachers can and cannot do.”

“My proposal (for rewriting the policy) is that we pay equal attention to what you (staff) may not do,” Heidmann said. “We are not in a position to give medical advice. We’re not going to be doing (specific) A, B, C and D. We will make the boundaries clearer in every direction.”

Andrews said that Oxford Hills Education Association has also indicated that teachers should be able to weigh in on the policy, as it will affect how district staff conduct their work with transgender issues.



Curtis Cole (right), SAD 17 school board director from Norway, explains to Paris Director Troy Ripley (second from right), background of proposed Student Identity Policy ACAA. Also pictured from left: Assistant Superintendent Steve Ciembroniewicz, Director Mark Heidmann of Harrison, and Director Judy Green of Waterford. *Nicole Carter / Advertiser Democrat*

Director Curtis Cole from Norway added that, as a big district with a 22-person board, Oxford Hills is better positioned to tackle controversial subjects than smaller boards with less manpower. He said that SAD 17 administrators had requested that the board provide a policy, explaining to Ripley that district leaders could have written a procedure surrounding student gender identity but instead proposed it be worked out by the board in public view.

Later in the meeting, another Paris director, Bob Jewell, joined the meeting and took the floor to repeat similar remarks Ripley had made at its start.

“This policy has gone through the board and community, and the board voted unanimously to postpone indefinitely,” Jewell said. “Postpone indefinitely, means a polite way to let a bill die. Regardless, the board, for this to come back, my feeling is the board should say whether we want to go on with this. It voted to not go on with this.”

Jewell then said when the board voted to postpone indefinitely the policy committee did not ask for postponement but to postpone indefinitely.

“Out of respect for the full board and the community, it should go back to the board and see if the board says ‘go ahead and do it,’” Jewell said.

“I made a bit of a speech to the board that this is what we are trying to do,” Green corrected him. “Whatever you call it, our purpose is to take it back, work on it some more and bring back substantive changes. That was what we requested, we said to the board ‘what shall we call that request,’ and that’s what the board voted on.”

“The board is expecting us to come back with something else, not just move on,” Cole said. “At least half the board would be totally surprised if we have amnesia on this issue and move on. It would put our administration in a tough situation because their employees are expecting the board to do something.”

The committee also discussed the need to address other policies that need revision to meet laws that have been changed. Green asked directors to consider district needs that might dictate consideration of new policies.

As the meeting adjourned, Jewell echoed Ripley’s earlier question about why Oxford Hills was taking a lead on gender identity when 94% of Maine schools have not implemented a policy, asking why the district should jump into the issue before it has more established precedent.

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