

Court: Boy Can Wear Dress in Class
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A Massachusetts Appeals Court judge has ruled a transgender male student can wear female clothing to class in Brockton, Mass.

The ruling by Judge George Jacobs upholds a lower court's preliminary injunction in favor of the 15-year-old student, known in court papers as "Pat Doe," the Brockton Enterprise reported Friday.

The Brockton School Department had appealed a lower Superior Court decision in October that permitted the youth, diagnosed with gender identity disorder, to wear dresses, a wig and other female clothing accessories while attending Brockton South Junior High School.

Jacobs denied Brockton school officials' arguments that Superior Court Judge Linda Giles should have recused herself because of her ties to lesbian and gay legal organizations. Jacobs said school attorneys did not prove that Giles, a former attorney for Gay and Lesbian Advocates and Defenders, was biased.

The Appeals Court judge also said Giles "appears to have applied proper legal standards" in her Oct. 15 injunction ruling.

GLAD, which represented the student, hailed Thursday's decision.

"Two courts have now recognized the importance of a transgender student begin allowed to express her gender identity at school even though she might not match the stereotyped expectations that people have about the appropriate gender expression of boys and girls," GLAD staff attorney Jennifer Levi said in a statement Friday.

The student has been attending school for nearly three weeks under the lower court's injunction.

Levi said that transgender students, "like other minority students, are often regarded as disruptive only as a result of a lack of understanding about gender and difference, not because of the student's behavior."

The case was brought when school administrators prohibited Pat Doe from attending class wearing what the principal considered to be girls' clothing.

This exclusion from school followed nearly two years of disciplinary action against the teenager for dressing as a female.

The 8th-grader has been diagnosed with gender identity disorder, which means he acts, dresses and lives as a female even though he was born male.

There have been no incidents since his return, Mayor John T. Yunits Jr. told the Enterprise Friday.

Yunits, who was "not surprised" by Jacobs' decision, said the city would pursue the case to trial before the full Superior Court because "it's still a precedent-setting case."

"Obviously we were disappointed, (but) on the other hand no evidence has been taken in the case. It's still at the injunction stage based on oral arguments," Yunits said.