

552: Gender Inclusion

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I. PURPOSE

All students need a safe, supportive school environment to progress academically and developmentally. The purpose of this policy is to facilitate compliance with applicable laws and organizational guidelines as well as to foster an educational environment at Hopkins Public Schools that is safe, supportive, and fully inclusive for all students regardless of gender identity or gender expression.

II. POLICY STATEMENT

Hopkins Public Schools shall act to ensure that students who are transgender and gender non-conforming are included in all school activities and have equal access to all programs offered by the District like their peers.

III. DEFINITIONS

The following definitions are provided to assist in understanding this policy.

A Assigned Gender – An individual’s gender assigned at birth, which may correlate to visual manifestations of the biological, genetic, and anatomical makeup of a body.

- B. Gender Expression – The manner in which an individual realizes and manifests their gender.
- C. Gender Fluid - Denoting or relating to a person who does not identify themselves as having a fixed gender.
- D. Gender Identity – An individual’s knowledge of being male, female, or otherwise on a continuum of gender.
- E. Gender Non-Conformity – Behaviors and interests that fit outside of stereotypical behaviors and interests for an individual’s assigned sex.
- F. Nonbinary Gender - Umbrella term to describe any gender identity that does not fit into the gender binary of male and female
- G. Transgender – An individual whose gender identity or gender expression is different from the gender stereotype for that person’s assigned gender.

IV. BULLYING, HARASSMENT, AND DISCRIMINATION PROHIBITION

Bullying, harassment, and discrimination on the basis of gender identity or expression are prohibited. Hopkins Public Schools will take any such incident seriously, give the incident immediate attention, and handle the incident in the same manner as the school handles other bullying, harassment and discrimination. The school and all employees are responsible for ensuring that every student, including transgender and gender nonconforming students, has a safe and supportive school environment at Hopkins Public Schools. Education and training regarding the issues addressed in this gender inclusion policy will be provided for employees, students and the broader school community.

V. GENDER TRANSITION AT SCHOOL

Students who transition socially at school have a right to a safe and supportive environment. School administration and staff shall work with any such students and their parents/guardians to identify which steps will create the necessary conditions to make the transition experience as positive as possible. Based on this work, the school, student, and parents/guardians may choose to create a tailored gender transition plan that ensures the school environment remains both safe and supportive of the student.

School staff will not control the timelines or manner of transition for transgender and nonbinary students.

VI. NAMES AND PRONOUNS USAGE

Students have the right to be addressed by a preferred name and by a pronoun corresponding to their gender identity. A court-ordered name or gender change is not required, and a student need not change official records in order to have this right honored by all members of the school community. Every effort to accommodate gender non-conforming identities will be made by school officials, including expanding the options for gender selection on school forms.

Official records must identify a student with their legal name and assigned gender, unless the student has legally changed their name.

VII. DRESS CODE

Students have the right to dress in accordance with their gender identity, within the constraints of the dress code specified in the Hopkins Public Schools' handbook or policy. School staff will not enforce the school's dress code more strictly toward transgender and gender nonconforming students than other students. Hopkins Public Schools will not require gender stereotypical fashion or dress, and seek gender parity in its dress codes. Hopkins Public Schools will avoid the use of gender pronouns when describing dress in its dress code.

VIII. GENDER-SEGREGATED ACTIVITIES, RULES, POLICIES AND PRACTICES

Hopkins Public Schools will continually evaluate all gender-based activities, curricula, rules, policies, and practices – including but not limited to classroom activities, school ceremonies, and school photos – and maintain only those that have a clear and sound pedagogical purpose.

In situations where students are segregated by gender, students have the right to participate in any such activities or conform to any such rule, policy, or practice in a manner that aligns with their gender identity. The district will make reasonable accommodations to curriculum to accommodate students whose gender identity aligns outside the binary male and female constraints. Appropriate curriculum adaptation, as well as staff training, will be provided.

All students, regardless of their gender identity, have the right to participate fully in overnight trips and other activities. In all cases, the school has an obligation to maintain the privacy of all students and cannot disclose or require the disclosure of the student's gender status to the other students or the parents/guardians of other students.

IX. PHYSICAL EDUCATION CLASSES AND INTRAMURAL AND INTERSCHOLASTIC ATHLETICS

All students have the right to participate in physical education classes, intramural sports, and interscholastic athletics in a manner that aligns with their gender identity. This choice shall not infringe on their right to full participation.

X. ACCESS TO FACILITIES

Each student shall be granted access to facilities including, restrooms, locker rooms, and changing areas that align with the student's gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided access to a reasonable alternative, such as a gender neutral facility, but no student shall be required to use such a facility.

XI. PRIVACY

All students have a right to privacy. A student's transgender or gender nonconforming status is private information. The fact that a student chooses to disclose their gender status to staff or other students does not authorize school staff to disclose other private information about the student.

XII. IMPLEMENTATION

To ensure uniform implementation of this policy across the district, Administration will provide the necessary education and training to staff and students and will create supportive materials for students and staff.

Legal Reference:

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)

Minn. Stat. § 363A (Minnesota Human Rights Act)

20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)

34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Montgomery v. ISD No. 709, 109 F.Supp. 2d 1081, 1093 (D. Minn. 2000).

Bostock v. Clayton County, 140 S. Ct. 1731, 590 U.S. ____ (2020)

Cross References:

MSBA/MASA Model Policy 102 (Equal Educational Opportunity)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

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500: STUDENTS

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