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## PROCEDURE

### Protecting Transgender Student Privacy

#### INS-P038

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Procedures are continually revised and improved. For the most recent version, please visit <https://salkeiz.sharepoint.com/qam/SitePages/Home.aspx>

### 1.0 SCOPE:

- 1.1 This procedure outlines the steps that district staff should take in order to protect the privacy of a student when they wish to affirm their identity at school as two-spirit, transgender, nonbinary, or another gender nonconforming identity.

### 2.0 DEFINITIONS:

- 2.1 **Gender identity:** An individual's internal sense of their own gender, which can include being a woman, man, another gender, multiple genders, or no gender.
- 2.2 **Gender marker:** A letter; F (woman), M (man), or X (nonbinary); representing an individual's gender in school district documents that may or may not be the same as one's legal gender or real gender identity.
- 2.3 **Legal gender:** A letter; F (woman), M (man), or X (nonbinary); used in school district documentation to signify what gender marker is used in an individual's non-educational legal documentation.
- 2.4 **Transgender:** An adjective describing a person whose gender identity does not correspond to the sex they were assigned at birth, which for the purposes of this document includes two-spirit, nonbinary, and other gender nonconforming identities
- 2.5 **Transition:** The process in which some transgender people express their identity by aligning their outward manifestation/social standing more closely with their gender identity.

### 3.0 PROCEDURE:

- 3.1 District staff will keep students' transgender status confidential to the extent allowed under Family Education Rights Privacy Act (FERPA) in their communications.
  - 3.1.1 School staff will not disclose any information that may reveal a student's transgender status to others, including caregivers, other school staff, and students, unless the student has authorized such disclosure, or the staff member is legally required to do so.
  - 3.1.2 Disclosure of student's transgender status may be necessary where the school must do so pursuant to Oregon law regarding notifications of bullying or harassment; or where the health, safety, or welfare of the student is at stake. The student must be notified of this prior to the disclosure occurring.
- 3.2 Students will be able to change their name and/or gender marker in Synergy with past records relating to gender kept confidential.
  - 3.2.1 All students may designate a name or gender marker change in Synergy. No documentation of legal name change is required.
    - 3.2.1.1 Any file containing student's legal name and/or sex assigned at birth will be kept confidential.
    - 3.2.1.2 Schools cannot require legal paperwork, official proof, or parent permission for student name changes or gender changes.
    - 3.2.1.3 Reference the Synergy Protected Legal Identity work instruction for the process to change student legal name and/or gender.
  - 3.2.2 Once a legal name and/or gender change is communicated to relevant staff, all student records will be updated to reflect the legally changed name and/or gender marker.
  - 3.2.3 Student transcripts will not list any student's sex or gender identity.



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3.3 The Student Gender Transition Plan will be offered as a concise form of communication that transgender students can use in order to ensure all those authorized by the student to be informed are well equipped to protect the student’s privacy and gender affirmation wishes.

3.3.1 When a student reaches out to a staff member about their gender identity and/or desires to transition at school, staff will let the student know of the Student Gender Transition Plan that they can complete in a meeting with trusted staff at their discretion.

3.3.2 Student or family can initiate a meeting with a school counselor or the LGBTQ+ Program Associate to make accommodations at their school, the meeting will be scheduled within 10 school days of student or family request.

**4.0 ASSOCIATED DOCUMENTS:**

4.1 INS-A040-Transgender, Nonbinary, and Gender Nonconforming Student

4.2 INS-P035-Inclusive School Ceremonies

4.3 Synergy Quick Reference Guide for Protected Legal Identity

4.4 Student Gender Transition Plan

**5.0 REVISION HISTORY:**

Date	Description
2/15/22	New Procedure.

**6.0 APPROVAL AUTHORITY:**

6.1 Superintendent

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Signature

\_\_\_\_\_  
Date