

Guidance Related to Gender Identity

Olathe Public Schools is committed to having a learning environment that is safe and supportive of our students, and that is free from discrimination. All of our students, including transgender and non-binary students, must feel safe and supported in schools and have equal access to educational activities.

Like everything we do, partnering with our parents and our students' families is a core component in helping our students to learn and develop.

With these directives in mind, the following are provided to help administrators, teaching staff, counselors, social workers, and nurses develop and maintain the strong relationships needed to support our students:

- Olathe Public Schools prohibits discrimination against any student, for any reason, including discrimination based upon sexual orientation and gender identity. For reference, please see Board Policy JGEC (Sexual Harassment).
- Parents, guardians or eligible students requesting a change in the student's name and/or gender found in the educational records should submit a completed "Request to Amend Educational Records" form.
- When a student requests to go by a preferred name and/or pronoun, District staff and students are expected to respect a student's preferred name and pronoun. Because students have a right to be addressed by the name and pronouns that correspond to the gender identity that is asserted at school, we will be sensitive and supportive of the request as outlined below.
- Administration and staff must evaluate each student request to go by a preferred name and/or pronoun on a case-by-case basis. It is expected that building principals will acknowledge the student's request and partner with the student and the family to the greatest extent possible in supporting the student's request, all without causing trauma to the student during the process.
- Best practice is for staff to obtain parental consent before addressing the student publicly by their preferred name and/or pronoun. This is consistent with Olathe Public Schools' commitment to partner with our parents and students' families in the learning and development of our students.
- Staff must be careful to refrain from incautious disclosure of a student's gender status and/or sexual orientation. Informing the decision to disclose to a parent/guardian are considerations related to the age of the student; whether the student has developmental disabilities; protecting the privacy interests of the student; whether the communications with the parent would cause trauma to the student, and a fear for the child's health as a result of that communication.



- Staff should not solicit (request or ask) students to share their pronouns or preferred names. That is out of respect for the privacy of our students and their families, and allows the sharing of that information in an environment of the student’s choosing. In the event a student shares or discloses such information, our staff will act in a supportive role for the student and family.

Resources

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1861, et seq.);

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99;

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

Board Policy JGEC (Sexual Harassment);

Board Policy KN (Complaints);

Board Policy JRB (Release of Student Records);

Board Policy JRC (Disposition of Records);

Public Notice – U.S. Department of Education, Office for Civil Rights –

“Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientational and Gender Identity,” June 22, 2021: <https://www.govinfo.gov/content/pkg/FR-2021-06-22/pdf/2021-13058.pdf>;

Fact Sheet – U.S. Department of Justice, Civil Rights Division, and U.S. Department of Education, Office for Civil Rights, “Confronting Anti-LGBTQ+ Harassment in Schools,” June 2021: <https://www.govinfo.gov/content/pkg/FR-2021-06-22/pdf/2021-13058.pdf>;

Fact Sheet – U.S. Department of Education – “Supporting Transgender Youth in School,” June 2021: <https://www2.ed.gov/about/offices/list/ocr/docs/ed-factsheet-transgender-202106.pdf>;

Fact Sheet – U.S. Department of Education, Office for Civil Rights,

“Supporting Intersex Students,” October 2021: <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-intersex-202110.pdf>.