



## **Guiding Principles for Respecting Gender Diversity in Alpine School District**

### **[USB E District Examples Matrix](#)**

Every child has a right to feel safe, respected, and have a sense of belonging. Educators partner with families to support students academically, socially, and emotionally.

Educators and staff must ensure that all students, including transgender and gender-nonconforming students, have safe school environments. Educators create and maintain a learning environment of dignity and respect for all by implementing inclusion strategies for and about students with varying abilities and backgrounds. Furthermore, discrimination, bullying, and harassment on the basis of sex, sexual orientation, gender identity, or gender expression is prohibited in the Alpine School District.

#### **Guiding Principles**

- Partner with students' parent/guardian
- Listen and empathize with all students about their unique needs and address all situations with respect
- Treat students who identify as transgender, non-binary, and gender diverse equal to their peers
- Link students and families to community resources
- School staff should not ask students their gender identity
- It is not a violation of statute for a student to share information with an employee spontaneously or unsolicited by the employee
- Facilitate compliance with local, state and federal laws concerning bullying, harassment, privacy, and discrimination (Title IX, FERPA)
- Report any act of discrimination, hazing, or bullying

**How are students who identify as transgender, non-binary, and gender diverse protected in schools?**

#### **Title IX Discrimination/Harassment**

A recent supreme court (*Bostock v. Clayton County*, 140 S. Ct. 1731, 590 U.S. \_\_\_ 2020) [decision](#) clarified that protections against sex discrimination encompass discrimination based on sexual orientation and gender identity. Further, the application of *Bostock v.*

Clayton County to Title IX of the Education Amendments of 1972 reasoned that “[a]ll persons should receive equal treatment under the law, no matter their gender identity or sexual orientation.”

**How do educators partner and work with families of students who identify as transgender, non-binary, and gender diverse?**

**Preferred names/pronouns**

- Utah statute regarding the rights of parents (Utah Rights of Parents--Children's rights--Interest and responsibility of state [80-2a-201](#)) requires permission from a parent and guardian to use a different name/pronoun other than the name/pronoun on record for all students regardless of gender identity.
- When a parent or guardian approves the use of a preferred name/pronoun for their student, educators should honor their request, to the extent possible.
- The pronouns they/them/theirs have been established as gender-neutral, singular pronouns and may be used when addressing all students.

**Privacy and Confidentiality**

- Under the Family Education Rights Privacy Act (FERPA), only school employees with a legitimate educational need should have access to students' records or the information contained within those records.
- There is no requirement under the law to report the gender identity to a parent or guardian unless the student is asking for a change to their educational record or program (such as to be referred by a different name than the name on record or pronouns).
- When a student makes a gender identity disclosure to an educator, the educator could provide the student with the option to inform parent/guardian independently and/or dialogue with the student about reaching out to the student's parent or guardian in a safe and supportive environment. (\*See safety concern statement below).
- Educators are prohibited from administering any psychological or psychiatric assessments, tests, treatments, surveys, analysis, materials, or evaluations of students without parental written consent, including asking questions regarding the students' sexual or gender attitudes, orientation, or beliefs.

*\* Due to safety concerns, there may be circumstances wherein students' parents or guardians should not be contacted. Please work with school counselors, social workers, psychologists, and the Division of Child and Family Services under these circumstances.*

### Official Student Records

- The student's permanent records include the legal name of the student as well as the student's biological sex, as shown on the student's official birth certificate.
- Documentation from a Court Order or ASD's Name Change Affidavit is required when a change in the name of the student is requested for official student educational records.
- Only a Court Order can change the biological sex on a student record.
- To the extent that the school is not legally required to use a student's legal name or sex on school records or other documents, the school should use the name and sex, including pronouns, preferred by the student and parent or guardian.

**What additional accommodations support our students who identify as transgender, non-binary, or gender-diverse to thrive academically, socially, and emotionally?**

### Accessibility (Facilities)

- Schools should work closely with the student and parent/guardian in devising an appropriate plan regarding the student's transgender, non-binary, or gender-diverse needs that works for both the student and school.
- This plan should include locker room and restroom options.
- Arrangements can be made for increased privacy for any student in consultation with their parent/guardian.

### Overnight school trips

- Overnight accommodations should be addressed on a case by case basis .
- Schools should honor alternate accommodations, to the extent possible, to meet each student's and parent's/guardian's needs and/or requests.

### Dress code

- Students who identify as transgender, non-binary, or gender-diverse can dress in a manner consistent with their gender identity or gender expression as long as it complies with the school's and district's dress code.

### Reference:

Rafferty J, Aap Committee On Psychosocial Aspects Of Child And Family Health, Aap Committee On Adolescence, Aap Section On Lesbian, Gay, Bisexual, And Transgender Health And Wellness. Ensuring Comprehensive Care And Support For Transgender And Gender Diverse Children And Adolescents. Pediatrics. 2018;142(4): E20182162