

**Administrative Procedure AC-AP(1): PROHIBITION AGAINST ILLEGAL
DISCRIMINATION, HARASSMENT AND RETALIATION - (Transgender and Gender-
Nonconforming Employees and Students)**

Status: ADOPTED

Original Adopted Date: 02/27/2013 | Last Reviewed Date: 02/27/2013

The district prohibits discrimination on the basis of gender identity as well as sexual orientation. This procedure outlines some of the efforts the district will make to respect a student's gender identity.

Definitions

Gender Identity – A person's deeply held sense or psychological knowledge of his or her own gender, regardless of the gender he or she was assigned at birth.

Transgender – People whose gender identity is different from the gender assigned to them at birth.

Gender Expression – The way a person expresses gender, such as clothing, hairstyles, activities or mannerisms.

Gender Nonconforming – Description of people whose gender expression differs from stereotypical expectations.

Privacy

Information about a student's transgender or gender nonconforming status will be considered confidential information that will only be shared with school personnel on a need-to-know basis. Information about a student's transgender status also may constitute confidential medical information. School personnel may not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others, including parents, unless legally required to do so or unless the student has authorized such disclosure. The district will not require the student to discuss his or her status with others.

When contacting the parent or guardian of a transgender or gender-nonconforming student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent or guardian has specified otherwise.

Official Records

The district is required to maintain a mandatory, permanent pupil record ("official record") that includes a student's legal name and legal gender. The district, however, is not required to use a student's legal name and gender on other school records or documents. The district will change a student's official record to reflect a change in legal name or legal gender upon receipt of documentation that such change has been made pursuant to a court order. In situations where school staff or administrators are required by law to use or to report a transgender or gender-nonconforming student's legal name or gender, such as for purposes of standardized testing, school staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information.

Names/Pronouns

Persons, including students and employees, shall be addressed by a name and pronoun that corresponds to their gender identity, as requested by the student or employee. Neither a court-ordered name or gender change, nor a change in official employee or student records, is required.

The intentional or persistent refusal to respect the gender identity of an employee or student after notification of the preferred pronoun/name used by the employee or student is a violation of this procedure.

Gender-Segregated Activities

To the extent possible, schools should reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, such as health education classes, students should be included in the group that corresponds to the student's gender identity.

Restroom Accessibility

Students and employees shall have access to the restroom that corresponds to the person's gender identity consistently asserted at school whenever possible or practicable. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom. If no single stall restroom for students is available in the school, the student should be provided access to a single stall restroom in the nurse's office or main office, but no student shall be required to use such a bathroom.

Locker Room Accessibility

The use of locker rooms by transgender students shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports, ensuring the student's safety and comfort, and minimizing stigmatization of the student. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to the student's gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student's ability to keep his or her transgender status confidential. In no case shall a transgender student be required to use a locker room that conflicts with the student's gender identity.

Physical Education Classes and Intramural Sports

Transgender and gender nonconforming students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with the student's gender identity.

Interscholastic Competitive Sports Teams

Transgender and gender nonconforming students shall be permitted to participate in interscholastic athletics in a manner consistent with the student's gender identity, to the extent allowed by Interscholastic rules and regulations.

Dress Codes

Transgender and gender nonconforming students shall be permitted to dress in a manner consistent with the student's gender identity or gender expression. Where dress codes and uniform requirements apply to all students, transgender and gender-nonconforming students should comply with the uniform requirements consistent with the student's gender identity.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 105.255, RSMo.

§ 160.261, RSMo.

§ 162.068, RSMo.

§§ 213.010-.137, RSMo.

§§ 290.400-.450, RSMo.

Description

[State Statute](#)

[State Statute](#)

[State Statute](#)

[State Statute](#)

[State Statute](#)

Federal References

20 U.S.C. § 1400-1417

Description

[Individuals with Disabilities Education Act](#)

Federal References

20 U.S.C. § 1681
 20 U.S.C. § 7905
 29 U.S.C. §§ 621-634
 29 U.S.C. § 206(d)
 29 U.S.C. § 794
 34 C.F.R. Part 106
 42 U.S.C. §§ 12101-12213
 42 U.S.C. §§ 1751-1760
 42 U.S.C. §§ 1777-1785
 42 U.S.C. §§ 2000d-2000d-7
 42 U.S.C. §§ 2000e-1-2000e-17
 42 U.S.C. §§ 2000ff-2000ff-11
 42 U.S.C. §§ 6101-6107
 42 U.S.C. § 11435
 7 C.F.R. Part 210
 7 C.F.R. Part 215
 7 C.F.R. Part 220
 7 C.F.R. Part 225
 FEDERAL COURT
 FEDERAL COURT
 FEDERAL COURT
 FEDERAL COURT
 FEDERAL COURT
 FEDERAL COURT
 FEDERAL COURT

MSIP References

G-1
 I-8

Cross References

EBBC
 ECG
 EHB
 EHB-AP(1)
 EHB-AP(2)
 EHB-AP(3)
 GBAC
 GBCB
 GBCC
 GBH

Description

[Title IX of the Education Amendments of 1972](#)
[Boy Scout Equal Access Act](#)
[Age Discrimination in Employment Act](#)
[Federal Statute](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Federal Regulation](#)
[Americans with Disabilities Act](#)
[Richard B. Russell National School Lunch Act](#)
[Child Nutrition Act](#)
[Title VI of the Civil Rights Act of 1964](#)
[Title VII of the Civil Rights Act of 1964](#)
[Genetic Information Nondiscrimination Act](#)
[Age Discrimination Act](#)
[Federal Statute](#)
[National School Lunch Program](#)
[Special Milk Program](#)
[School Breakfast Program](#)
[Summer Food Service Program](#)
[Bostock v. Clayton County, Georgia, 590 U.S., 140 S.Ct. 1731 \(2020\)](#)
[Burlington Indust. v. Ellerth, 524 U.S. 742 \(1998\)](#)
[Davis v. Monroe County Bd. of Educ., 526 U.S. 629 \(1999\)](#)
[Faragher v. City of Boca Raton, 524 U.S. 775 \(1998\)](#)
[Gebser v. Lago Vista Ind. Sch. Dist., 524 U.S. 274 \(1998\)](#)
[Oncale v. Sundowner Offshore Serv., 523 U.S. 75 \(1998\)](#)
[Harris v. Forklift Syst., Inc., 510 U.S. 17 \(1993\)](#)

Description

[MSIP STANDARDS](#)
[MSIP STANDARDS](#)

Description

[LACTATION SUPPORT](#)
[ANIMALS ON DISTRICT PROPERTY](#)
[TECHNOLOGY USAGE](#)
[TECHNOLOGY USAGE - \(Technology Safety\)](#)
[TECHNOLOGY USAGE - \(Acceptable Use of Technology\)](#)
[TECHNOLOGY USAGE - \(Facebook and On-Line Communities Guidelines\)](#)
[STAFFING WITH AND EMPLOYING RETIREES](#)
[STAFF CONDUCT](#)
[STAFF USE OF COMMUNICATION DEVICES](#)
[STAFF/STUDENT RELATIONS](#)

Cross References

GBH-AF(1)
GBL
GBL-AP(1)
GBLB
GBLB-AF(2)
GCPB
GCPD
GCPE
GCPF
GDPB-2
GDPD
GDPE
IGAEB
IGB
IGB-AP(1)
IGB-AF(1)
IGB-AF(2)
IGBA-1
IGBA-1-AP(1)
IGBCB
IGBCB-AP(1)
IGBH
IGBH-AF(1)
IGCD
IGCD-AF(3)
IGCD-AF(4)
IGCDA
IGCDA-AF(1)
IGD
IGD-AP(3)
IGD-AF(2)
IGD-AF(3)
IICC
IICC-AP(1)
INC
IND
JFCF
JFCF-AF(1)
JFCF-AF(2)

Description

[STAFF/STUDENT RELATIONS - STAFFSTUDENT RELATIONS](#)
[PERSONNEL RECORDS](#)
[PERSONNEL RECORDS](#)
[REFERENCES](#)
[REFERENCES](#)
[RESIGNATION OF PROFESSIONAL STAFF MEMBERS](#)
[SUSPENSION OF PROFESSIONAL STAFF MEMBERS](#)
[TERMINATION OF PROFESSIONAL STAFF MEMBERS](#)
[RENEWAL OF PROFESSIONAL STAFF MEMBERS](#)
[RESIGNATION OF SUPPORT STAFF MEMBERS](#)
[SUSPENSION OF SUPPORT STAFF MEMBERS](#)
[NONRENEWAL AND TERMINATION OF SUPPORT STAFF MEMBERS](#)
[SEXUAL HEALTH INSTRUCTION](#)
[ACCOMMODATION OF STUDENTS WITH DISABILITIES](#)
[ACCOMMODATION OF STUDENTS WITH DISABILITIES - \(Section 504 and ADA Procedures\)](#)
[ACCOMMODATION OF STUDENTS WITH DISABILITIES](#)
[ACCOMMODATION OF STUDENTS WITH DISABILITIES](#)
[SPECIAL EDUCATION](#)
[SPECIAL EDUCATION - \(Services for Incarcerated Youth\)](#)
[PROGRAMS FOR MIGRATORY STUDENTS](#)
[PROGRAMS FOR MIGRATORY STUDENTS - \(K-12 Districts\)](#)
[PROGRAMS FOR ENGLISH LEARNERS](#)
[PROGRAMS FOR ENGLISH LEARNERS](#)
[VIRTUAL COURSES](#)
[VIRTUAL COURSES](#)
[VIRTUAL COURSES](#)
[FULL-TIME MOCAP VIRTUAL COURSES](#)
[FULL-TIME MOCAP VIRTUAL COURSES](#)
[DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](#)
[DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](#)
[DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](#)
[DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](#)
[SCHOOL VOLUNTEERS](#)
[SCHOOL VOLUNTEERS](#)
[SPEAKERS AT DISTRICT EVENTS](#)
[CEREMONIES AND OBSERVANCES](#)
[BULLYING](#)
[BULLYING](#)
[BULLYING](#)

Cross References

JFCG

JG

JHCF

JHG

KG

KG-AP(1)

KG-AP(2)

KK

KK-AP(1)

KK-AP(2)

KL

KL-AP(1)

KLA

Description[HAZING](#)[STUDENT DISCIPLINE](#)[STUDENT ALLERGY PREVENTION AND RESPONSE](#)[REPORTING AND INVESTIGATING CHILD ABUSE AND NEGLECT](#)[COMMUNITY USE OF DISTRICT FACILITIES](#)[COMMUNITY USE OF DISTRICT FACILITIES - \(Use of District Facilities for Nondistrict-Sponsored or Approved Activities\)](#)[COMMUNITY USE OF DISTRICT FACILITIES - \(Use of District Facilities for District-Sponsored or Approved Activities\)](#)[VISITORS TO DISTRICT PROPERTY AND EVENTS](#)[VISITORS TO DISTRICT PROPERTY AND EVENTS - \(Public Conduct on District Property\)](#)[VISITORS TO DISTRICT PROPERTY AND EVENTS - \(Tours of District Facilities\)](#)[PUBLIC CONCERNS AND COMPLAINTS](#)[PUBLIC CONCERNS AND COMPLAINTS](#)[CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS](#)