

Policy ACAE-1: TRANSGENDER STUDENTS

Status: ADOPTED

Original Adopted Date: 01/26/2016 | **Last Revised Date:** 09/06/2016

The district seeks to provide all students a safe and tolerant learning environment that is free from illegal discrimination and harassment. This policy addresses the measures the district will take to meet the needs of transgender students. Additional measures may be taken at the discretion of the superintendent or designee depending on the needs of the individual student, the needs of the school community and the district's legal obligations.

Definitions

Accommodations - Measures the district will take to meet a transgender student's needs for the purposes of complying with Title IX of the Education Amendments of 1972, a federal law that prohibits discrimination on the basis of sex. A student's transgender status alone is not a medical condition that qualifies as a legal disability that requires accommodation under Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Americans with Disabilities Act (ADA).

Gender Assigned at Birth - The gender designation listed on the student's original birth certificate or other documentation of birth.

Gender Identity - A student's inner sense of being male or female, regardless of the student's gender assigned at birth.

Transgender Student - A student whose gender identity does not correspond with the gender the student was assigned at birth. Medical treatments or procedures or legal actions are not required for recognition as a transgender student.

Consultation with Parents/Guardians and Students

Parents/Guardians and students are encouraged to notify a district administrator or counselor of a student's transgender status. The principal, counselor or other relevant staff members will meet with the student's parents/guardians and, when appropriate, the student to discuss the student's needs and district accommodations.

In general, the district will only consider accommodations requested or discussed with the student's parents/guardians. However, the district may provide accommodations to a student without the consent of the parents/guardians if the student is 18 or older, is not dependent upon his or her parents/guardians or is determined by the district, after consulting the district's attorney, to have a legal entitlement to accommodations.

Privacy

A student's transgender status will be shared only with staff members and district officials who need to know, as determined by the district. The information will not be shared with students or other individuals without written permission of the parents/guardians unless disclosure is required or allowed by law. These privacy rules apply regardless of whether the parent/guardian or student decides to keep the student's transgender status private or openly discuss the student's status.

The district may provide students, staff and the public educational information regarding the needs of transgender students in general and the district's legal obligations without identifying a particular student.

Records

The student's legal name will be used in the district's official records including, but not limited to, the student's official transcript. If the parent/guardian or student legally changes the student's name or birth certificate and provides proof of the change, the district will change the official record.

Upon request, the district will use a name chosen by the parents/guardians and student that corresponds with the student's gender identity when the district is not required to use the student's legal name on a document or when a document is created for internal or ceremonial purposes only. Therefore, grade cards, diplomas and certificates will use the student's chosen name.

District records regarding gender will reflect the gender provided by the parents/guardians and student and may be changed upon request.

Names and Pronouns

Upon request, district staff will address a transgender student using the student's preferred name, if different than the legal name, and will refer to the student using the pronouns the student prefers.

Bathroom and Locker Room Access

Transgender students will be allowed to use bathrooms and locker room facilities that conform with the student's gender identity.

Any student, regardless of gender, gender identity or transgender status, may request access to unisex or more private facilities based on privacy, safety or other concerns, and the district will attempt to accommodate the student depending on the facilities available. Other accommodations might include, but are not limited to, providing alternative changing areas, ensuring access to restroom stalls with doors, separating changing areas by curtains, and providing an alternative schedule for using restrooms or changing clothes.

The district does not tolerate any misconduct in district restroom or locker room facilities including, but not limited to: hazing, bullying, overt displays of nudity or invading the personal space or privacy of others. Any student who violates the district's expectations will be disciplined and may be required to use separate facilities.

Classes and Academic Activities

The district does not typically segregate courses by gender, but there are some classes and activities, such as physical education and health, where students are sometimes divided by gender. In those situations, transgender students will be allowed to participate in the class or activity that conforms with the student's gender identity as long as they are otherwise qualified.

Extracurricular Activities and Athletics

The district will abide by Missouri State High School Activities Association (MSHSAA) rules regarding transgender student participation for any activity governed by MSHSAA. For all other district activities in which gender is a participation factor, transgender students will be allowed to participate based on the gender with which they identify.

Dress

A transgender student will be allowed to dress in a manner that conforms with the student's gender identity and will be subject to the rules applicable to dress associated with that gender.

Disruption, Illegal Discrimination and Illegal Harassment

The district does not tolerate bullying or misbehavior directed at an individual student, disruption to the district's education environment or illegal discrimination or harassment. If the behavior could constitute illegal discrimination or harassment of a transgender student, the behavior must be reported to the district's compliance officer in accordance with policy AC. All other incidents must be reported to the principal.

Students who violate this or other district policies may be disciplined. Employees may be disciplined or terminated.

Training and Education

Employees

Regular training on the prevention of illegal discrimination and harassment will include information on the district's obligations to accommodate transgender students. Staff members who are informed of the identity of a specific transgender student will receive additional training and direction as necessary.

Students

Students who are taught about illegal discrimination and harassment as part of an approved course curriculum may also be provided information about legal obligations to accommodate transgender persons. In addition, the district may provide age-appropriate information to students regarding transgender persons when considered necessary or appropriate, particularly when a transgender student is enrolled in the class or grade level.

Parents/Guardians and Community

While the district will respect the privacy of individual transgender students, if a parent/guardian or community member requests information on the district's accommodation of transgender students, the district will provide a copy of this policy as well as additional information regarding the needs of transgender students and the district's legal obligations.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.
