Transgender and Gender Nonconforming

I. Purpose

The Dover School District (District) is committed to providing a safe and supportive learning environment for all students that is free from discrimination, harassment, bullying and intimidation, as well as to assist in the educational and social integration of transgender and gender nonconforming students in our schools. The District is further committed to ensuring that every student shall have equal access to the District's educational programs and activities. Additionally, District policy requires that all schools and all personnel promote acceptance and respect among students and staff.

This policy is intended to be interpreted in light of applicable federal and state laws and regulations, as well as Board policies, procedures and school rules. This policy is not intended to anticipate every possible situation that may occur, since the needs of particular students and families differ depending on the student's age and other factors. In addition, the programs, facilities and resources of each school differ. Administrators and school staff are expected to consider the needs of students on a case-by-case basis, and to utilize this policy and other available resources as appropriate.

The term "transgender" is an umbrella term for an individual whose gender identity or expression is different from that traditionally associated with their assigned sex at birth. A student will be considered transgender if, at school, they consistently assert a gender identity or expression different from that traditionally associated with assigned sex at birth. This includes students who identify as transgender, or who are gender nonconforming. This involves more than a casual declaration of gender identity or expression, but it does not necessarily require a medical diagnosis.

II. Discrimination/Harassment

It is the responsibility of each school and the District to ensure that transgender and gender nonconforming students have a safe school environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

Legal References:

NH RSA 354-A:2, XIV-c
Americans with Disabilities Act (28 CFR § 35.07), as amended
Section 504 of the Vocational Rehabilitation Act (29 USC § 794), as amended;34 CFR § 104.7
Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)
Title IV of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq.)
NH Code Admin. R. Ed. 303.01(i) and (j)

See Also:

JBAB-R: Transgender and Gender Nonconforming Procedure
ACAA: Harassment and Sexual Harassment of Students
ACAA-R: Student Discrimination and Harassment Complaint Procedure
AC: Nondiscrimination/Equal Opportunity
JICFA: Hazing
JICK: Pupil Safety and Violence Prevention
JICK-R: Pupil Safety and Violence Prevention Procedure

Code: O