

STUDENTS

TRANSGENDER NONDISCRIMINATION POLICY

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It is the policy of the Pawtucket School Department and its administration to provide an equal opportunity for all current and prospective employees, students, and contractors regardless of race, color, creed, national or ethnic origin, gender, genetic information, gender identification or expression, religion, disability, age, sexual orientation, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, (except in those special circumstances permitted or mandated by law).

SPECIFIC TERMS RELATING TO TRANSGENDER STUDENTS & EMPLOYEES

To provide common terminology and to assist in understanding this policy the Pawtucket School district uses the following definitions:

Gender Identity is a person's deeply held sense or psychological knowledge of their own gender. One's gender identity can be the same or different than the gender assigned at birth.

Gender Expression is the manner in which a person represents or expresses their gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Transgender describes a person whose gender identity or expression is different from that traditionally associated with an assigned sex at birth. Other terms that can have similar meanings are transsexual and trans.

Transition describes a process in which a person goes from living and identifying as one gender to living and identifying as another.

Gender non-conforming describes people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous. This includes people who identify outside traditional gender categories or identify as both/neither gender. Other terms that can have similar meanings include gender diverse or gender expansive.

Terminology and language describing individuals who are transgender may differ based on region, ethnicity, age or culture. Persons who identify as transgender or gender nonconforming may use a number of words and expressions to describe their lives and experiences. A few examples are: trans, transsexual, transgender, male-to-female, female-to-male, bi-gender, agender, and/or gender neutral. A general recommendation is to avoid assumptions and employ the term that the person uses to describe themselves.

CONFIDENTIALITY

All persons, including individuals, have the right to keep private one's transgender status or gender nonconforming presentation at school. Information about an individual or employee including assigned birth sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, is considered to be confidential medical information and protected under R.I. Gen. Laws § 5-37.3-1 et seq. School personnel may not disclose information that may reveal an individual's transgender status or gender nonconforming presentation to others, including parents, (other than a student's own parents), students, volunteers, and other school personnel, unless legally required to do so or unless the individual has explicitly authorized such disclosure. Students who are transgender or gender nonconforming have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information. When contacting the parent or guardian of a student who is transgender or gender nonconforming, 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 that includes a student's legal name and legal gender. However, the District 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. Schools shall collect or maintain information about students' gender only when necessary. In situations where school staff or administrators are required by law to use or to report a 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.

In addition, transgender students who transition after having completed high-school, have the right to request that the district amend school records, such as, a diploma or transcript that include the student's birth name and gender. When requested, the district will amend the student's record, including reissuing a high school diploma or transcript, to reflect the student's current name and gender.

The administration shall recognize a transgender employee's preferred name and gender to the greatest possible extent when maintaining personnel records. The Pawtucket School district recognizes that it is constrained by the law in some circumstances relating to Social Security and health insurance.

NAMES AND PRONOUNS

An individual has the right to be addressed by a name and pronoun that corresponds to the individual's gender identity. A court-ordered name or gender change is not required, and the individual need not change their official records. It is recommended that district staff privately ask an individual at the beginning of the school year how they would like to be addressed in class, in correspondence to the home, or at conferences

with the individual's parent or guardian. The intentional or persistent refusal to respect an individual's gender identity (for example, intentionally referring to the individual by a name or pronoun that does not correspond to the individual's gender identity) is a violation of this policy.

RESTROOMS, LOCKER ROOMS, AND CHANGING FACILITIES

All individuals are entitled to have access to restrooms, locker rooms and changing facilities that are sanitary, safe, and adequate, so they can comfortably and fully engage in their school program and activities. In meeting with the transgender individual and parent to discuss the issues outlined in this policy, it is essential that the building leadership and individual address the individual's access to the restrooms, locker room and changing facility. Each situation needs to be reviewed and addressed based on the particular circumstances of the individual and the school facilities. In all cases, the building leadership should be clear with the individual and in the case of students, their parents or guardians that the individual may access the restroom, locker room, and changing facility that corresponds to the individual's gender identity. While some individuals will want that arrangement, others will not be comfortable with it. Students who are uncomfortable using a gender-segregated restroom are to be provided with a safe and adequate alternative, such as a gender neutral restroom or the nurse's restroom. Similarly, some individuals may not be comfortable undressing in the changing facilities that correspond to the individual's gender identity.

Some individuals may feel uncomfortable with an individual who is transgender or gender nonconforming using the same gender-segregated restroom, locker room or changing facility. This discomfort is not a reason to deny access to the individual who is transgender or gender non-conforming. This individual is also to be provided with a safe and adequate alternative. School administrators and counseling staff are encouraged work with individuals to address the discomfort and to foster understanding of diversity, including gender identity, to create a school culture that respects and values all individuals.

PHYSICAL EDUCATION CLASSES AND INTRAMURAL AND INTERSCHOLASTIC ATHLETICS

All individuals shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity. According to Article 1, Section 22 of the Rhode Island Interscholastic Athletic Association Rules and Regulation, all individuals are permitted to participate in activities in a manner consistent with their gender identity.

DRESS CODES/ SCHOOL UNIFORM POLICIES

Any dress code or uniform policy shall be gender-neutral. Students have the right to dress in accordance with their gender identity, within the parameters of the dress code.

OTHER SCHOOL ACTIVITIES

The Pawtucket School Department will evaluate all gender-based activities, rules, policies, and practices—including but not limited to classroom activities, school ceremonies, field trips, and school photos—and maintain only those that have a clear

and sound pedagogical purpose. Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

REFERENCE

[Title IX Federal Regulations](#)

[RI Gen. Laws § 16-38-1.1 - Discrimination Because of Sex](#)

[RI Gen. Laws § 42-87-1 et seq. - Civil Rights of People with Disabilities Act](#)

[Complaint Resolution Process](#)

[2010 Board of Regents Policy on Sexual Orientation and Gender Identity](#)

[Rhode Island Department of Education Equal Opportunity Checklist](#)

[National School Boards Association Transgender Guide](#)

[US Department of Education: Emerging Practices Supporting Transgender Students](#)

[Rhode Island Interscholastic League Rules and Regulations](#)

[Commissioner's Decision: North Kingstown Band Room](#)

Adopted:

First Vote: May 23, 2017

Second Vote: May 30, 2017