



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
ADMINISTRATIVE COMPLAINT

July 2, 2026

United States Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100

Via Email: OCR@ed.gov

To Whom It May Concern:

This is a federal civil rights complaint pursuant to the U.S. Department of Education’s (Department) Office for Civil Rights’ (OCR) discrimination complaint resolution procedures.

Defending Education (DE) brings this complaint against Carlsbad Unified School District (CUSD), Jurupa Unified School District (JUSD), and the California Interscholastic Federation (CIF) for discrimination on the basis of sex in programs or activities that receive federal financial assistance, in violation of both Title IX of the Education Amendments of 1972 and the Equal Protection Clause of the 14th Amendment to the U.S. Constitution.

DE brings this complaint as an interested third-party organization with members who are parents and students throughout the country, and on behalf of a parent with daughters in CUSD schools who compete in CIF athletic competitions against JUSD students. DE and its members oppose various forms of discrimination, including both free speech discrimination and discrimination on the basis of sex, in America’s K-12 schools and institutions of higher education.

I. CUSD forces female students to share intimate spaces with male students.

DE’s parent member, Jane Doe, has a daughter who attends Aviara Oaks Middle School (AOMS) in Carlsbad Unified School District (CUSD). In June of 2025, Doe learned from another parent with a daughter at AOMS that the school had allowed a male who self-identified as a female to enter the girls’ bathrooms and locker rooms. In August of 2025, at back-to-school night, Doe approached the physical education teachers at AOMS to ask whether the school had allowed—and would continue to allow—boys who self-identify as girls to access the girls’ bathrooms and locker rooms. Doe mentioned President Trump’s January 2025 executive order on gender ideology and biological truth, which “protect[s] sex-

based distinctions” and “single-sex spaces” in federally funded institutions and instructs the Department of Education to enforce “Title IX” accordingly.¹ The physical education teachers, however, told Doe that the school would continue to give students access to otherwise sex-segregated spaces on the basis of their self-professed gender identity—following California state law rather than federal law.

After this conversation, Doe requested a meeting with AOMS’s principal. According to Doe, during their meeting, the principal confirmed what the PE teachers had said: The school would continue to allow self-identified transgender students to access whatever intimate space they personally identified with. When Doe asked the principal how she should advise her young daughter, who did not feel comfortable undressing or using the bathroom with a boy, the principal responded that Doe’s daughter could use alternative bathrooms. (The principal suggested, for example, the bathroom in the administrative building or the nurse’s office.) In other words, at CUSD, if biological girls are uncomfortable sharing intimate spaces with biological boys, the school forces *them*—not the boys—to inconvenience themselves and use separate facilities.

The principal, Doe recalls, added that the school does not require students to disclose a change of gender, meaning there is no way to know if a biologically male student identifies as female. And the principal continued, the school would not notify other students or parents, even if it *did* know that a biologically male student identified as female. So, at any given time, there may be biological males using female bathrooms and locker rooms without the school’s knowledge. Finally, the principal downplayed Doe’s daughter’s discomfort from the presence of males in the female locker room, suggesting that any such discomfort would be minimal because students only strip to their underwear when changing clothes for gym classes.

Doe subsequently wrote to the CUSD Board of Trustees for clarification on how the district planned to comply with federal law, given that teachers and administrators had indicated they would refuse to do so. According to Doe, a representative of the Board of Trustees responded that although the U.S. Department of Education currently interprets Title IX to require separate facilities based on biological sex, the school had no intention of abiding by that interpretation until a court ordered it to do so.

Following this exchange, Doe met with CUSD’s Title IX coordinator to determine how the district planned to uphold Title IX protections and protect the safety and privacy of CUSD students like Doe’s daughter. But the Title IX coordinator’s response did little to alleviate Doe’s concerns. According to Doe, the coordinator acknowledged that federal and California law overlap on the issue of sex discrimination and gender identity, but he declined to commit to following federal law.

To prevent her daughter from being exposed to males in bathrooms, locker rooms, and other facilities, Doe submitted an opt-out request to AOMS. She also submitted a second opt-out request for her other daughter who attends Sage Creek High School (SCHS), another CUSD school. Both principals denied Doe’s opt-out requests. Instead, Doe says both principals suggested that Doe’s daughters use alternative bathrooms and locker rooms if they feel uncomfortable, or that they use the bathrooms and locker rooms at a “scheduled time” when no other students are present.

¹ See Executive Order 14168, *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (Jan. 20, 2025), perma.cc/Q5US-7K2H.

Title IX’s implementing regulations state that schools “toilet, locker room, and shower facilities . . . provided for students of one sex shall be comparable to such facilities provided for students of the other sex.”² As the Supreme Court has long acknowledged, “[p]hysical differences between men and women . . . are enduring: ‘the two sexes are not fungible; a community made up exclusively of one [sex] is different from a community composed of both.’”³

Allowing male students to access female students’ intimate spaces fundamentally changes the nature of those spaces. School districts with such policies—like CUSD—turn a girls’ bathroom or locker room from “a community made up exclusively of one [sex]” into “a community composed of both.”⁴ Therefore, CUSD’s decision to allow male students to access female students’ intimate spaces strips female students like Doe’s daughter of their right to “comparable” single-sex intimate spaces.⁵ That is “impossible to square with Title IX.”⁶

II. CIF and JUSD force female student-athletes to compete against males.

Doe’s daughter at SCHS is a track & field athlete. She was forced to compete against a transgender-identified male student, AB, at the California Interscholastic Federation (CIF) State Championship on Friday, May 29, 2026.⁷ In fact, this was the *second* year that Doe’s daughter had to compete against AB, who is a student at Jurupa Valley High School in Jurupa Unified School District (JUSD).⁸

CIF and JUSD are violating Title IX of the Civil Rights Act by forcing female student athletes to compete against male student athletes on female public high school sports teams. CIF is a non-profit association composed of more than 1,600 public, public charter, and private high schools that collectively house more than 800,000 student athletes.⁹ CIF exists for the purpose of governing education-based high school athletics at these schools.¹⁰ JUSD is subject to CIF regulation.¹¹

Title IX’s implementing regulations require schools to give “equal athletic opportunit[ies] for students of both sexes.”¹² Determining whether a school provides equal athletic opportunities depends, in part, on whether the school “effectively accommodate[s] the interests and *abilities* of members of both sexes.”¹³

² 34 CFR § 106.33.

³ *United States v. Virginia*, 518 U.S. 515, 533 (1996) (quoting *Ballard v. United States*, 329 U.S. 187, 193 (1946)).

⁴ *Id.*

⁵ 34 CFR § 106.33.

⁶ *Tennessee v. Cardona*, 737 F. Supp. 3d 510, 562 (E.D. Ky 2024).

⁷ Ingemi, *Transgender Jurupa Valley senior [AB] wins state track medals amid muted protest*, L.A. Times (May 30, 2026), perma.cc/Z9BJ-RR9Y.

⁸ The ink on this Department’s June 2025 Letter of Findings against CIF, in which the Department found that CIF’s practice of allowing “male athletes [to] compete in athletic competitions designated for girls” was a “clear violation of Title IX,” is barely dry. *U.S. Department of Education Finds California Department of Education and California Interscholastic Federation in Violation of Title IX*, U.S. Dep’t of Education (June 25, 2025), perma.cc/DA94-PR2Y. But the Federation remains unapologetically committed to its blind adherence to state law “‘allow[ing] men to steal female athletes’ well-deserved accolades,” even though that “conflicting” state law is “preempt[ed]” by “Title IX.” *Id.*

⁹ *2024-25 Annual Report*, CIF, at 2 (archived June 30, 2026), perma.cc/M87E-BG96.

¹⁰ *California Interscholastic Federation 2025-26 Constitution and Bylaws*, CIF, at art. 1 §11 (archived June 30, 2026), perma.cc/T9RS-45BY.

¹¹ *Directory*, CIF Southern Section (visited June 30, 2026), cifss.org/directory/.

¹² 34 CFR § 106.41(c).

¹³ *Id.* § 106.41(c)(1) (emphasis added).

CIF Bylaw 300.D, however, requires California public high schools to allow males to compete in girls' interscholastic athletics. The bylaw states: "All students should have the opportunity to participate in CIF activities in a manner that is consistent with their gender identity, *irrespective of the gender listed on a student's records.*"¹⁴ CIF's "Guidelines for Gender Identity Participation" repeat the same requirement.¹⁵

In accord with CIF's Bylaw 300.D, JUSD's Academic Regulation 5145.3 (Exhibit A) states that JUSD student athletes shall "*participate in programs and activities consistent with their gender identity.*"¹⁶ JUSD put this policy into practice when—*two years in a row*—it allowed a biologically male student, AB, to represent JUSD's girls' track and field team at the CIF state track & field championships. Indeed, in both 2025 and 2026, AB dominated the event.¹⁷

By allowing AB to compete for JUSD's girls' track & field team in an interscholastic competition, both CIF and JUSD deprived female student athletes, including Doe's daughter, of meaningful opportunities to compete in athletic programs and activities governed by CIF. This violates Title IX.

III. Like CUSD, CIF and JUSD force girls to share intimate facilities with boys.

CIF and JUSD are also violating Title IX by granting access to bathrooms and locker rooms on the basis of gender identity, thereby allowing male students to access female students' locker rooms and bathrooms.

In addition to its bylaws and guidelines for interscholastic athletics, CIF also published a "Gender Diverse Youth Sport Inclusivity Toolkit," which describes how schools should regulate restrooms and locker rooms relative to "trans" students.¹⁸ The Toolkit states that "Transgender athletes, as a general rule, will opt for either the boys' room (for trans boys) or the girls' room (for trans girls). Nonbinary-identified and other gender diverse youth are also in the position of selecting the specific gender-separated facility that works best for them."¹⁹

Likewise, JUSD shows no regard for the privacy of its female students. Specifically, JUSD Academic Regulation 5145.3 (Exhibit A) states that "students shall be permitted to access" otherwise "sex-segregated facilities" like "restrooms and locker rooms" based on "their gender identity," even if the facility is normally reserved for students of the opposite biological sex.²⁰ This is in addition to JUSD's rule allowing biological boys to participate in "physical education classes, intramural sports," "interscholastic athletic programs" and other "sex-segregated programs" normally reserved for girls.²¹

¹⁴ *California Interscholastic Federation 2025-26 Constitution and Bylaws*, CIF, at art. 30 §300(D) (archived June 30, 2026), perma.cc/J4DJ-LXJS (emphasis added).

¹⁵ *Guidelines for Gender Identity Participation*, CIF (archived June 30, 2026), perma.cc/N2U9-VVFY.

¹⁶ *AR 5145.3: Nondiscrimination/Harassment*, JUSD, at 7 (revised Dec. 12, 2022), perma.cc/DNC9-SKN2 (emphasis added) (attached as Exhibit A).

¹⁷ Thompson, *Trans athlete [AB] takes girls' track and field state championships in California, defying Trump*, Fox News (June 1, 2025), perma.cc/B994-SZ8Y; Thompson, *[AB] advances in California state championship as Save Girls' Sports activists rally nearby*, Fox News (May 30, 2026), perma.cc/GC5G-8AF2.

¹⁸ *Gender Diverse Youth Sport Inclusivity Toolkit*, CIF (archived July 1, 2026), perma.cc/REP6-M8YP.

¹⁹ *Id.* at 8.

²⁰ *AR 5145.3: Nondiscrimination/Harassment*, JUSD, at 7 (revised Dec. 12, 2022), perma.cc/DNC9-SKN2 (attached as Exhibit A).

²¹ *Id.*

By giving male students the right to access female intimate spaces and play on female sports teams, CIF's and JUSD's policies "tur[n] Title IX on its head" and strip female students of their Title IX rights.²²

* * *

In addition to violating Title IX and its implementing regulations, CUSD's, JUSD's, and CIF's policies also run afoul of various executive orders related to sex discrimination in federally funded programs,²³ as well as this Department's stakeholder guidance on Title IX concerning the prevention of sex discrimination in federally funded programs.²⁴

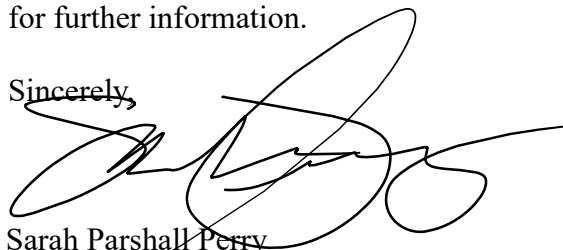
The policies also violate the Equal Protection Clause of the 14th Amendment, which, "[l]ike Title IX," prohibits "discrimination on the basis of gender."²⁵ Policies that "permit biological men into women's intimate spaces . . . based entirely on a person's subjective gender identity" are "impossible to square with . . . 'the guarantee of equal protection.'"²⁶ They ignore the "biological differences between the sexes" and disregard students' "basic right to bodily privacy."²⁷

Civil rights law is, as this Department well knows, no mere abstraction. Real girls—Defending Education's members among them—are experiencing real discrimination nationwide. And in California in particular, the damage to long-held notions of sex equality in education continues apace, unabated by this Department's previous investigations and determinations.

Accordingly, we ask that the Department promptly investigate all allegations in this complaint, swiftly remedy the unlawful policies and practices, and order appropriate relief.

Thank you for your prompt assistance with this request for investigation and resolution. Please contact me for further information.

Sincerely,



Sarah Parshall Perry
Vice President and Senior Legal Fellow
Defending Education

Encl. Exhibit A.

²² *Tennessee*, 737 F. Supp. 3d at 571.

²³ See Executive Order 14168, *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (Jan. 20, 2025), perma.cc/Q5US-7K2H; Executive Order 14201, *Keeping Men Out of Women's Sports* (Feb. 5, 2025), perma.cc/5RPN-26EM.

²⁴ *U.S. Department of Education to Enforce 2020 Title IX Rule Protecting Women*, U.S. Dep't of Educ. (Jan. 31, 2025), perma.cc/XH83-7N8B.

²⁵ *Doe v. Univ. of Oregon*, 2018 WL 1474531, at *14 (D. Or. Mar. 26, 2018) (citing *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 451 (1982)).

²⁶ *Tennessee*, 737 F. Supp. 3d at 562.

²⁷ *Id.*

Exhibit A

STUDENTS

SUBJECT: Nondiscrimination/Harassment

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Educational Equity
Monty Owens, Director
4850 Pedley Road, Jurupa Valley, CA 92509
951-360-4140
harold_owens@jUSD.k12.ca.us

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications.
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students

(Education Code 234.6)

4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance with Title IX, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) web site

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for

all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students.

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful

discrimination

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observes any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Approved: 8-7-15

Revised: 9-14-15, 10-17-16, 7-17-17, 7-16-18

Revised: 5-10-21, 12-12-22

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity

4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that intersex, nonbinary, transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's intersex, nonbinary, transgender or gender-nonconforming status is the student's private information. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

The district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's intersex, nonbinary, transgender, or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee

is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's intersex, nonbinary, transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as an intersex, nonbinary transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is intersex, nonbinary, transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances

where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. Student Records: Upon each student's enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.

A student's legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.