MONROE PUBLIC SCHOOLS
STUDENTS
BOARD POLICY PROCEDURE

TRANSGENDER STUDENTS

Definitions/Terms

Gender Expression is how a person expresses their gender, often through behavior, emotional expression, mannerisms, dress, grooming, interests, and activities.

Gender Identity refers to one's deeply felt internal sense of being female, or male, or both, or neither, regardless of their gender assigned at birth.

Gender Nonconforming describes a person whose gender expression differs from stereotypical expectations about how they should look or act based on the gender they were assigned at birth. This includes people who identify outside traditional gender categories or identify as both genders, or as gender neutral.

Biological Sex/Sex refers to a person's internal and external anatomy, chromosomes, and hormones.

Transgender is a general term often used to describe a person whose gender identity and/or expression is different from that traditionally associated with the person's gender assigned at birth.

Transitioning refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

Official Records

The District is required to maintain a permanent student record which includes the student's legal name and the student's gender. The District will change a student's official records to reflect a change in legal name upon receipt of:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or

   A written, signed statement explaining that the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

   Schools may change a student's official gender designation upon parent or student request pursuant to the Office of the Superintendent of Public Instruction process.

To the extent that the District is not legally required to use a student's legal name and biological sex on school records or documents, the District should use the name and gender by which the student identifies. In situations where school employees are required by law to use or report a student's legal name or gender, such as for standardized testing, school staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender nonconforming status.

Confidential Health or Educational Information

Information about a student's gender status, legal name, or gender assigned at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99). Therefore, to ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender nonconforming status to others, including the student's parents and/or other school personnel, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender nonconforming students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender nonconforming students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity. When communicating with parents of transgender or gender nonconforming students, school employees will refrain from the use of gender pronouns and refer to the student by name whenever practicable. The district will not condone the intentional and persistent refusal to respect a student's gender identity, or inappropriate release of information regarding a student's transgender status.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with his or her gender identity.

Locker Room Accessibility

Use of locker rooms by transgender or gender nonconforming students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender nonconforming student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. In most cases, the district should provide the student access to the locker room that corresponds to the gender identity they assert at school. Reasonable alternatives to locker room conditions include, but are not limited to:

- use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- a separate changing schedule (i.e., utilizing the locker room before or after the other students.

Any alternative to locker room conditions will be provided in a manner that allows the student to keep his or her transgender or gender nonconforming status private. No student, however, will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The District will provide all students, including transgender students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by working through the Gender Identity Participation procedure set forth by the Washington Interscholastic Activities Association (WIAA).

Dress Codes

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender.

Other School Activities

In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips), students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

When possible, the District will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying;
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, and gender identity and expression issues.

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, sexual orientation, or gender identity or expression are prohibited within the district. It is the responsibility of each school, the District and all staff to ensure that all students, including transgender and gender non-conforming students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the district's Civil Rights Compliance Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and/or harassment complaints. This includes investigating the incident and taking age and developmentally-appropriate corrective action. Anyone may file a complaint alleging a violation of this policy using the complaint process outlined in the district's Nondiscrimination Procedure P3210.