

POLICY 508 – GENDER INCLUSION

I. SCOPE AND PURPOSE

This policy is intended to ensure student access to school district programming, activities and facilities for each student regardless of their sexual orientation, gender identity, gender expression or gender non-conformity. All students of the school district, including transgender and gender diverse students, deserve respectful and inclusive learning environments that value students' gender identity and gender expression. The school district strives to provide programming and facilities where all students feel safe and supported.

II. DEFINITIONS

- A. "Gender" refers to the socially constructed roles, activities, behaviors and attributes that a given society attaches to femininity or masculinity.
- B. "Gender Expression" means the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- C. "Gender Identity" means a person's deeply held sense or knowledge of one's own gender, regardless of the sex assigned at birth.
- D. "Gender Non-Binary" is an umbrella term for people who transcend commonly held concepts of gender through their own expressions and identities. Other terms for this include gender diverse, gender expansive, gender creative, gender nonconforming or genderqueer. Some non-binary people also identify as transgender.
- E. "Transgender" is an umbrella term describing persons whose gender identity or expression is different from that traditionally associated with the sex at birth.
- F. "Gender Non-Conforming" is a term for individuals who do not fit into traditional "male" and "female" gender categories.
- G. Sexual Orientation means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness.

III. GENERAL STATEMENT OF POLICY

The school district's staff and systems ensure inclusive access to programming and facilities. In accordance with this policy, and in consultation with students, parents, and/or guardians, the school district will:

- A. Respect all students' sexual orientation, gender identity, gender expression and gender non-conformity.
- B. Identify and address students by their preferred names and pronouns that align with their gender identity.
- C. Upon written request of the student and their parent(s) or guardian(s), student names and pronouns will be changed on school district digital systems to the extent possible to align with their gender identity. Medical documentation or legal verification of a student's name change is not required.
- D. Within academic programming, prohibit the separation of students and/or curricular materials based upon gender unless it serves as a legitimate pedagogical tool.
- E. Provide all students the opportunity to participate in co-curricular and extracurricular activities in a manner consistent with their gender identity, including but not limited to intramural and interscholastic athletics, and in conformance with Minnesota State High School League rules and regulations, where applicable.
- F. Provide all students with access to facilities that align with students' gender identity.
- G. Respect the safety and privacy of all students, pursuant to District Policy 515 (Protection & Privacy of Pupil Records) and state and federal privacy laws.
- H. Ensure that all district policies apply to all students, regardless of their sexual orientation, gender identity, gender expression or gender nonconformity.
- I. School officials will work with families and students to identify one or more safe staff members

that gender nonconforming students can access if they require additional support during the school day.

IV. REPORTING

Any person who believes there has been a violation of this policy shall report the alleged violation under the procedures set forth in Procedure 413 A.

V. PROFESSIONAL DEVELOPMENT

School district employees will receive professional development to ensure that staff understands their responsibilities pursuant to this policy.

Adopted: XXXX

Legal References

Title IX of the Education Amendments of 1972

Minn. Stat. ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act)

Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)

20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)

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