

Policy Title:  Health & Safety  Gender Inclusion Policy	Adoption Date: 08/16/2016
	Policy Number 502.12

All students need a safe, supportive school environment to progress academically and developmentally. The purpose of this policy is to facilitate compliance with applicable laws and organizational guidelines as well as to foster an educational environment in the Blaine County School District that is safe, supportive, and fully inclusive for all students, regardless of gender identity or gender expression.

Blaine County School District shall act to improve the social and education integration of transgender and gender nonconforming students, maintain the privacy of these students, and foster cultural competence and education for school employees and the broader community on transgender and gender nonconforming issues. Furthermore, the school will support healthy communication among school employees, students, and parents/guardians to encourage the successful development and wellbeing of students.

This policy covers conduct that takes place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles, and at bus stops. This policy also pertains to the use of electronic technology and electronic communication that occurs in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles and at bus stops, and on school computers, networks, forums, and mailing lists. This policy applies to the entire school community, including but not limited to school employees, students, parents/guardians, volunteers, and agents of the school.

### **Definitions**

The definitions provided herein are not intended to label students but rather to assist in understanding this policy and the obligations of school personnel. Students may or may not identify with the definitions used here.

“Assigned Sex” refers to the biological, genetic, and anatomical makeup of a body. In the United States, individuals are typically categorized as male, female, or intersex (i.e. atypical combinations of features that usually distinguish biological make from female.)

“Gender Identity” is a person’s deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.

“Transgender” describes a person whose gender identity is different from their gender assigned at birth.

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“Gender Expression” refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

“Gender Nonconforming” describes a person whose gender expression differs from stereotypical expectations, such as “feminine” boys, “masculine” girls, and those who are perceived as androgynous.

“Gender Transition” is the process through which individuals begin to outwardly manifest their authentic experience of gender rather than the one generally considered typical for their sex and gender assigned by others at birth. The ultimate goal in transitioning is to be seen, known, and related to in accord with one’s deeply held sense of self.

### **Bullying, Harassment, and Discrimination Prohibition**

Bullying, harassment, and discrimination on the basis of gender identify or expression are prohibited. Any such incident is to be taken seriously, given immediate attention, and handled in the same manner as other bullying, harassment, and discrimination. The school and all employees are responsible for ensuring that every student, including transgender and gender nonconforming students, has a safe and supportive school environment. Education and training regarding the issues addressed in this gender inclusion policy shall be provided for employees and students.

### **Gender Transitions at School**

Students who transition at school have a right to a safe and supportive environment. School administration and staff shall work with any such students and their parents/guardians to identify which steps will create the necessary conditions to make the transition experience as positive as possible.

### **Name and Pronouns Usage**

Students have the right to be addressed by a preferred name and by a pronoun corresponding to their gender identity. School records shall reflect both the students legal name and the chosen name, primarily for correct record identification. Teachers and staff will use the student’s chosen name and appropriate pronouns.

### **Dress Code**

Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress codes specified in the Student-Parent Handbook. School staff shall not

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enforce the school's dress code more strictly toward transgender and gender nonconforming students than other students.

### **Gender Segregated Activities**

To the extent possible, the District will reduce or eliminate the practice of segregating students by gender for school activities. Transgender and gender nonconforming students shall not be denied the right to participate in school activities because of the student's gender identity or gender expression. In situations where students are segregated by gender, such as for health education classes, students should be included in the group that corresponds to their gender identity or gender expression consistently asserted at school.

### **School Trips**

Transgender and gender nonconforming students shall not be denied the right to participate in overnight school trips because of the student's gender identity or gender expression. Students shall be assigned sleeping rooms that correspond to the gender identity or gender expression consistently asserted at school. Any student with a need or desire for increased privacy or for safety reasons, may be assigned a private sleeping room. No student shall be required to use such separate sleeping rooms.

### **Physical Education Classes and Intramural Athletics**

All students have the right to participate in physical education classes and intramural sport athletics in a manner that aligns with their gender identity consistently asserted at school.

### **Interscholastic Competitive Sports Teams**

Transgender and gender nonconforming students shall be allowed to participate in interscholastic sports as set forth by the [Rules and Regulations](#) of the Idaho High School Activities Association (IHSAA). Refer to District Policy 503.4 – Interscholastic Competition.

### **Access to Restrooms, Locker Rooms, and Changing Rooms**

Each student shall be granted access to restrooms, locker rooms, and changing areas that align with the student's gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided access to a reasonable alternative, but no student shall be required to use such facility.

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## **Privacy**

All students have a right to privacy. This includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name, or gender assigned by others at birth may also constitute private and confidential medical 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).

Transgender and gender nonconforming students have the right to discuss and express their gender identity and gender expression openly and to decide when, with whom, and how much to share private information. The fact that a student chooses to disclose his or her transgender status to staff or other students does not authorize school staff to disclose other private information about the student.

## **Official Records**

Blaine County School District shall maintain a mandatory permanent student record that includes a student's legal name and legal gender. This school shall use the name and gender preferred by the student, except where the student's legal name and gender are required. School records shall reflect both the students legal name and the chosen name.

In situations where school employees are required by law to use or to report a transgender student's legal name or gender, such as for purposes of standardized testing, school employees shall adopt practices to avoid the inadvertent disclosure of such private information. Moreover, the school shall change a student's official record to reflect a change in legal name or gender upon receipt of official documentation that such a change has been made pursuant to a court order, or through proper amendment of state or federally issued identification.

## **LEGAL REFERENCE**

Title IX of the Education Amendments of 1972, Sex - [20 United States Code 1681 et seq.](#)  
Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance - [34 CFR Part 106](#)  
Commission on Human Rights - [Idaho Code Title 67, Section 5901 et seq.](#)  
Organization and Government of Board of Trustees - [Idaho Code Title 33, Section 506\(1\)](#)  
Vital Statistics - [IDAPA 16.02.08.201.6\(c\)](#)  
Idaho High School Activities Association (IHSAA), [2015-16 Rules and Regulations Manual](#)