

GENDER INCLUSION

MODEL POLICY

PURPOSE

This policy addresses the inequities that transgender, gender diverse, intersex, and gender-nonconforming students and staff confront when school and workplace systems are designed around a binary understanding of gender. It applies to all students and employees of the district.

GENERAL STATEMENT OF POLICY

The students and staff of the district deserve respectful and inclusive school and work environments that foster a sense of belonging and respect each person's gender identity and gender expression. The district shall ensure that all students and staff have equitable access to programming, facilities, activities, and professional environments in which they feel comfortable, safe, supported, and included.

NAMES, PRONOUNS, AND RECORDS

The district shall respect the gender identity and gender expression of all students and staff by honoring their right to be identified and addressed by their self-identified name and pronouns. Staff shall not refer to a student or colleague by a name the person no longer uses.

Students and staff may update their self-identified name and pronouns in district information systems, including identification badges, email addresses, and technology display names, without providing documentation of a legal name change. Documentation of a legal name change shall be required only for records governed by federal or state law, such as tax documents.

FACILITIES

The district shall provide all students and staff with access to restrooms, locker rooms, and other facilities that best align with their gender identity, or the facilities in which they feel safest.

DRESS AND APPEARANCE

The district shall not restrict a student's or employee's clothing, appearance, or expression on the basis of gender identity, except as provided by a dress code applied consistently regardless of gender.

GENDER-BASED SEPARATION

The district shall not separate students or staff, or curricular or work materials, based on perceived gender, unless the separation serves a compelling pedagogical or programmatic purpose. Where such a separation occurs, each person shall have the right to participate in the grouping that aligns with their gender identity, or to decline to participate.

PARTICIPATION IN STUDENT ACTIVITIES

Students shall have the opportunity to participate in co-curricular and extracurricular activities, including intramural and interscholastic athletics, in a manner consistent with their gender identity.

TRANSITION SUPPORT

- A. At a student's request, the district shall convene a Student Support Team to develop a Student Support Plan. The team shall include the student, a school counselor or social worker, and the principal or the principal's designee. The student's parent or guardian shall be included only if the student wants them involved. The student may also invite an additional adult advocate to participate.
- B. An employee who is transitioning may request support from Human Resources or their supervisor. Administrators and supervisors shall be responsive to concerns related to belonging, safety, privacy, and any workplace accommodations associated with an employee's transition.
- C. Students and staff shall have the right to determine the timing and manner of any social transition.

PRIVACY AND CONFIDENTIALITY

A student's gender identity, gender expression, chosen name, and pronouns are private. Staff shall not disclose this information to a student's parent or guardian, or to any other person, without the student's consent, even where the parent or guardian is not already aware of it, except where disclosure is required by law. A student's decision to use a different name, pronouns, or gender expression at school does not, by itself, obligate or authorize staff to inform the student's parent or guardian.

An employee's gender identity, gender expression, and transition-related information is likewise private. Staff shall not disclose this information about a colleague without that person's consent. Circulating private information about a person's gender identity or expression without consent may result in discipline.

CONSIDERATIONS FOR DISCUSSION

The items below are not part of the model policy language itself. They are issues a board may want to work through, with administration and with legal counsel, before adopting a policy along these lines.

Parental notification requirements vary sharply by state.

The Privacy and Confidentiality section directs staff not to disclose a student's gender identity or expression to a parent or guardian without the student's consent. Several states have passed laws going the other direction, requiring or permitting schools to notify parents in some or all circumstances. This provision is one of the most legally contested parts of this policy area nationally, and boards should have counsel confirm whether it is consistent with, or in tension with, applicable state law before adoption.

State law in this area varies significantly and is changing quickly.

States differ, sometimes sharply, on questions this policy touches, including facility access, athletics participation, and what schools must or must not disclose to parents about a student's gender support plan. This is an actively litigated and legislated area at both the state and federal level. Boards should have legal counsel review this policy against current state law before adoption, and should expect to revisit it as the legal landscape develops.

Athletics eligibility rules.

Interscholastic athletics participation is often governed by a state athletic association's own eligibility rules, which may not align with this policy. Boards should confirm how this section interacts with the applicable state association's rules, and should not assume this policy alone controls eligibility for interscholastic competition.

This policy relies on staff training to apply well.

This model policy does not include a glossary of terms related to gender identity and expression. Some staff that would be required to implement this policy may not be familiar with the definitions of some of these terms. A district's educators may also have a wide array of views about the appropriate way to approach gender diversity. Training may be necessary to help staff understand this policy fully and to make clear that violating this policy is harmful to staff and students and may result in disciplinary action.



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This model policy is a starting point, not a finished product. It is intended to prompt discussion among board members and with district administration, not to be adopted verbatim. Every board should revise this language to reflect its own district's circumstances, governance culture, and priorities before bringing it forward for adoption.

This model policy is published freely and openly. Boards, board members, administrators, and consultants are welcome to use, share, and amend it in any way that is useful to them, without needing to ask permission.

Boards considering this policy should consult with their district's legal counsel to confirm that any policy they adopt complies with applicable federal and state law, which varies by state, changes frequently, and is not addressed in this document.