



Guidance for Administrators: Ensuring Equal Opportunity and Freedom from Harassment for Transgender and Gender Non-conforming Students and Staff

The purpose of this guidance sheet is to assist administrators in providing a safe, secure and dignified educational and work atmosphere for the students and staff under their supervision. **Please review this guidance in preparation for situations that may arise involving transgender and gender non-conforming students and staff and refer back to it when needed.** If issues arise that are not addressed within this guidance sheet or more information and support is desired, please contact the Title IX and ADA Coordinator (663-1530) or GLBTQ Services Coordinator (663-8449) for assistance.

Topic	Guidance ¹
<p>Safety & Bullying: Transgender and gender nonconforming students are disproportionately targeted for teasing, bullying, harassment, and physical violence. ²</p>	Confront and report bullying and name calling consistently. This includes name calling and bullying based on gender stereotypes, gender identity and gender expression. <i>See Board Policy 4510 (Bullying).</i>
<p>Names and Pronouns : Frequently transgender and gender nonconforming people are not addressed by appropriate pronouns or names.³ Having one's gender identity recognized and validated is important.</p>	Refer to all students and staff by their preferred name and gender pronouns whenever possible. Have conversations regarding preferences with the student in private. <i>See Board Policy 4159 (Amendment of Education Records).</i>
<p>Bathrooms: Transgender and gender non-conforming people often struggle to find restroom facilities that are safe and that correspond with their gender identity. Having safe and respectful access to restroom facilities is important to the health and well-being of transgender and gender nonconforming people.</p>	Students shall have access to the restroom that corresponds to their gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of underlying reason, should be provided access to a single stall restroom, but no student shall be required to use such a restroom.
<p>Privacy: All persons have a right to privacy, which includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name, or gender assigned at birth may constitute confidential medical information. Disclosing this information to other students, their parents or other third parties may violate privacy laws and policies.</p>	Students and staff have a right to keep their personal information private. Staff members should not disclose information about a student's gender identity or gender expression to others unless legally obligated or expressly given permission by the student. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly. The fact that a student chooses to disclose his or her transgender status to others does not authorize school staff to disclose information. <i>See Board Policy 4150 (Student Records- Confidentiality) and Policy 4157 (Student Records- Disclosure).</i>
<p>Physical education/athletics/ clubs: Transgender and gender non-conforming students may find it difficult to participate in extracurricular activities. There may also be barriers of access and comfort for transgender and gender non-conforming youth regarding physical education.</p>	Using gender to separate and/or identify students in physical education classes is discouraged. In circumstances where gender is used, students should be permitted to participate consistent with their gender identity. Students shall also be permitted to participate in intramural sports and club activities in a manner consistent with their gender identity. Furthermore, unless precluded by state interscholastic association policies ⁴ , students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity.

¹ MMSD – BOE Policy 8012 Nondiscrimination, BOE Policy 4510 Bullying/Harassment Prohibition, protect all students and staff from discrimination or harassment based on gender, gender identity, gender expression, and sexual orientation. The Federal Family Educational Rights and Privacy Act (FERPA) also may pertain.

² Greytak, E.A., Kosciw, J.G. & Diaz, E.M. (2009) *Harsh Realities: The experiences of transgender youth in our nation's schools*. New York: GLSEN.

³ American Psychological Association (APA). (2006). *Answers to your questions about transgender individuals and gender identity*. Retrieved Aug 9, 2010, from: <http://www.apa.org/topics/transgender.html>

⁴ WIAA's last articulated position is to leave it to each District to address the issue of transgender student participation.