

# **SCHOOL BOARD PRACTICE RELATED TO TRANSGENDER AND GENDER NONCONFORMING STUDENTS**

## **I. PURPOSE**

The Purpose of this Official School Board Practice is to ensure the uniform treatment of students across all MTCS schools, as well as:

1. To foster an educational environment that is safe, welcoming, and free from stigma and discrimination for all students, regardless of gender identity or expression;
2. To facilitate compliance with local, state, and federal laws concerning bullying, harassment, privacy, and discrimination; and
3. To ensure that all students are comfortable and have the opportunity to present themselves at school in conformance with their gender identity or expression.

## **II. DEFINITIONS**

As used in this practice, the following terms have the following definitions. Note that these definitions are being provided to assist students and staff in understanding MTCS practices. Students may or may not use these terms to describe themselves or their experience.

1. Bullying: conduct as defined and described in MTCS Policy 514.
2. Gender Expression: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
3. Gender Identity: a person's sincerely held knowledge of their own gender, which can include being female, male, another gender, or no gender. One's gender identity can be the same or different than the sex assigned at birth. The responsibility for determining an individual's gender identity rests with the individual.
4. Gender Nonconforming: a term used to describe people whose gender expression differs from stereotypical expectations. It also includes individuals who do not identify as either male or female, sometimes referred to as non-binary individuals.
5. Transgender: an adjective describing a person whose gender identity is different from that traditionally associated with the sex they were assigned at birth. A transgender girl is a girl who was thought to be male when she was born. A transgender boy is a boy who was thought to be female when he was born.

### **III. SCOPE OF THE PRACTICE**

This practice covers conduct that takes place in school, on school property, at school-sponsored functions and activities, on school buses or vehicles, during a student's commute to and from school, and at bus stops. This practice also pertains to usage of 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, as well as any electronic communication that is directed at a student and that substantially interferes with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school. This practice applies to the entire school community, including educators, school staff, students, parents, and volunteers. At all times, MTCS retains the right to revise this practice at it sees fit, and also retains the right to take actions that may be in conflict with this practice if following said practice may lead to a substantial disruption of the school or threaten student safety.

### **IV. BULLYING, HARASSMENT, AND DISCRIMINATION**

Bullying, harassment, and discrimination against students on the basis of their gender identity or expression are specifically prohibited pursuant to School Board Policies 102, 413, and 514, and as amended. Such policies and the procedures outlined therein shall be followed by MTCS in the event it receives a report of any alleged discrimination, harassment, or bullying on the basis of a student's gender identity or expression.

### **V. PRIVACY AND CONFIDENTIALITY**

1. Students are encouraged to speak to a building administrator or staff member about any requests and or needs they may have. This way, MTCS may ensure that it is supporting students and helping to minimize any potential disruption to the learning environment.
2. MTCS shall ensure that all personally identifiable and medical information relating to transgender students shall be kept confidential in accordance with applicable state and federal privacy laws, as well as MTCS Policy 515. School staff shall not disclose any information that may reveal a student's transgender identity to others, including parents or guardians and other school staff, unless there is a legitimate educational need or legal reason to do so, or unless the student has authorized such disclosure. School staff may provide the student with an opportunity to make the disclosure themselves, where practicable, if there is a need to share this information with other staff members and/or students.
3. Transgender students may discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information, subject to the provisions outlined above. Before contacting the parent or guardian of a transgender student, the recommended practice for

school staff is to privately ask the student whether to use their chosen name and the pronouns that correspond to their gender identity, or whether to use their legal name.

## **VI. NAMES, PRONOUNS, AND SCHOOL RECORDS**

1. Regardless of whether a transgender or gender nonconforming student has legally changed their name or sex, MTCS will allow such students to use a chosen name and pronouns that reflect their identity in school. It is recommended that school staff privately ask transgender or gender nonconforming students how they want to be addressed in class and in the school's communication with the student's parents or guardians.
2. To ensure consistency among administrators and staff, every effort will be made to update the student information systems with the student's chosen name and appropriate gender markers, including pronouns. In some circumstances, school administrators may be specifically required by law to record a student's name or sex as it appears on documents such as a current birth certificate. In those instances, school staff and administrators shall record this information in a separate, confidential file to avoid the inadvertent disclosure of the information.

## **VII. ACCESS TO GENDER-SEGREGATED ACTIVITIES AND FACILITIES**

1. With respect to all restrooms, locker rooms, or changing facilities, students shall have access to facilities that correspond to their gender identity. MTCS will continue to maintain separate restroom, locker room, or changing facilities for male and female students, and will allow all students equal access to facilities that are consistent with their gender identity. Students should determine which facilities are consistent with their sincerely held gender identity, and are encouraged to discuss such facilities usage with a building administrator prior to such use in order to minimize any disruption.
2. Any student who is uncomfortable using a shared gender-segregated facility, regardless of the reason, shall, upon the student's request, be provided with a safe and non-stigmatizing alternative. This may include, for example, provision to use a nearby private restroom or office, or a separate changing schedule.

## **VIII. MSHSL PARTICIPATION**

MTCS will follow the MSHSL rules for the participation of transgender students in any MSHSL sporting activities, and will provide information about the process for seeking eligibility to participate in sports in conformance with a student's gender identity upon request.

## **IX. TRAINING AND PROFESSIONAL DEVELOPMENT**

MTCS may conduct training for all staff members on their responsibilities under

applicable laws and this practice, including teachers, administrators, counselors, social workers, and health staff. Information regarding this practice shall be incorporated into training for new school employees.

**X. PUBLICATION**

This practice will be distributed annually to students, parents/guardians, and staff, and it will also be included in any student codes of conduct, disciplinary policies, student handbooks, and school websites.

***Date Approved by the School Board:*** \_\_\_\_\_