

Transgender Students

Definitions/Terms

- **Gender Expression** is how a person expresses their gender, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- **Gender Identity** refers to one's deeply felt internal sense of being female, or male, or both, or neither, regardless of their gender assigned at birth.
- **Gender Nonconforming** describes a person whose gender expression differs from stereotypical expectations about how they should look or act based on the gender they were assigned at birth. This includes people who identify outside traditional gender categories or as both genders, or identify as gender-neutral.
- **Sex** refers to a person's internal and external anatomy, chromosomes, and hormones.
- **Transgender** is a general term often used to describe a person whose gender identity or expression is different from that traditionally associated with the person's gender assigned at birth.
- **Transitioning** refers to the process in which a person changes their gender expression to better reflect their gender identity.

Official Records

The District maintains permanent student records that include students' legal names and genders. The District will change a student's official records to reflect a change in legal name upon receipt of:

1. Documentation that such change has been made pursuant to a court order or through amendment of state- or federally issued identification; or
2. A written, signed statement explaining that the student has exercised a common-law name change, has changed their name for all intents and purposes, and the change has not been made for fraudulent reasons.

The District will change a student's official gender designation upon parent or student request. To the extent that the District is not legally required to use a student's legal name and gender on school records or documents, the District should use the name and gender by which the student identifies. In situations where school employees are required by law to use or report a student's legal name or gender, such as for standardized testing, school staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender nonconforming status.

Confidential Health or Educational Information

Information about a student's transgender or gender nonconforming status, legal name, or gender assigned at birth may constitute confidential medical or educational information. Disclosing this information to third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 C.F.R. Part 99). Therefore, to ensure the privacy, safety, and well-being of the student, school employees may not disclose a student's transgender or gender nonconforming status to others unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender nonconforming students how they would like to be addressed in class, in correspondence to the home, and at conferences with the students' parent(s)/guardian(s). That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender nonconforming students regarding particular issues such as conduct, discipline, grades, attendance, or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity. When necessary to ensure the privacy, safety, and well-being of transgender or gender nonconforming students, school employees will refrain from the use of gender pronouns and refer to the student by name whenever practicable. The District prohibits the intentional and persistent refusal to respect a student's gender identity, and the inappropriate release of information regarding a student's transgender or gender nonconforming status.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity they consistently assert at school. Students who request increased privacy may be provided access to an alternative restroom (e.g., an office or staff restroom) on a case-by-case basis to the extent such a restroom is available, although a student may be denied access to an alternative restroom for safety or disciplinary reasons unrelated to their gender identity or expression. The District will make reasonable efforts to provide access to alternative restrooms for transgender or gender nonconforming students in a manner that allows the student to keep their transgender or gender nonconforming status private. No student will be required to use either a restroom that conflicts with his or her gender identity or an alternative restroom.

Locker Room Accessibility

Use of locker rooms by transgender or gender nonconforming students will be assessed on a case-by-case basis, with the goal of maximizing social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities, ensuring student safety and comfort, and minimizing the stigmatization of students. In most cases, the District should provide the student access to the locker room that corresponds to the gender identity the student consistently asserts at school. Students who need or desire increased privacy must be provided with a reasonable alternative changing area, such as:

- use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- a separate changing schedule (i.e., utilizing the locker room before or after other students).

Students may be denied access to an alternative locker room for safety or disciplinary reasons unrelated to their gender identity or expression. The District will make reasonable efforts to provide access to any alternative to locker room conditions in a manner that allows the student to keep his or her transgender or gender nonconforming status private. No student will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The District will provide transgender and gender nonconforming students with the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by working through the [Gender Identity Participation procedure](#) set forth by the Washington Interscholastic Activities Association (WIAA).

Dress Codes

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender.

Other School Activities

In any school activity or other circumstance involving separation by gender (e.g., class discussions, field trips), students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

The District will offer or provide training to administrators and certificated and classroom personnel regarding their responsibilities under Chapter 392-190 WAC prohibiting discrimination against transgender and gender nonconforming students, and to raise awareness of and eliminate bias based on sex, sexual orientation, and gender expression or identity.

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, sexual orientation, gender identity, or gender expression are prohibited within the District. It is the responsibility of each school, the District, and all staff to ensure that all students, including transgender and gender nonconforming students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the District's Civil Rights Compliance Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and/or harassment complaints. Anyone may file a complaint alleging a violation of this policy using the complaint process outlined in the District's Nondiscrimination Procedure 3210P.