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RICHFIELD PUBLIC SCHOOLS
GENDER INCLUSION POLICY

5 **I. PURPOSE**

6 All students need a safe, supportive school environment to progress
7 academically and developmentally. The purpose of this policy is to
8 facilitate compliance with applicable laws and organizational guidelines as
9 well as to foster an educational environment at Richfield Public Schools
10 that is safe, supportive, and fully inclusive for all students regardless of
11 gender identity or gender expression.

12 **II. POLICY STATEMENT**

13 Richfield Public Schools shall act to ensure that students who are
14 transgender and gender non-conforming are included in all school
15 activities like their peers.

16 **DEFINITIONS**

17 The following definitions are provided to assist in understanding this
18 policy.

- 19 **a. Assigned Gender** – An individual’s gender assigned at birth, which
20 correlates to the biological, genetic, and anatomical makeup of a body.
- 21 **b. Gender Expression** – The manner in which an individual expresses
22 their gender.
- 23 **c. Gender Identity** – An individual’s sense of being male, female, or
24 otherwise on a continuum of gender.
- 25 **d. Gender Dysphoria** – A conflict between an individual’s physical or
26 assigned gender and the gender with which they identify.
- 27 **e. Gender Non-Conformity** – Behaviors and interests that fit outside of
28 stereotypical behaviors and interests for an individual’s assigned sex.
- 29 **f. Transgender** – An individual whose gender is different from the
30 gender assigned to them at birth.

31 **III. BULLYING, HARASSMENT, AND DISCRIMINATION PROHIBITION**

32 Bullying, harassment, and discrimination on the basis of gender identity or
33 expression are prohibited. Richfield Public Schools will take any such
34 incident seriously, give the incident immediate attention, and handle the
35 incident in the same manner as the school handles other bullying,
36 harassment and discrimination. The school and all employees are

1 responsible for ensuring that every student, including transgender and
2 gender nonconforming students, has a safe and supportive school
3 environment at Richfield Public Schools. Education and training regarding
4 the issues addressed in this gender inclusion policy will be provided for
5 employees, students and the broader school community. Richfield Public
6 Schools will ensure that all district policies, including but not limited to
7 Policy 102 (Equal Educational Opportunity), Policy 103 (Bullying
8 Prohibition Policy), Policy 108 (Hazing Prohibition), Policy 113 (Bullying
9 Prohibition), Policy 505 (Student Disability Nondiscrimination), Policy 506
10 (Student Sex Nondiscrimination), Policy 541 (Student Behavior), Policy
11 581 (Protection and Privacy of Pupil Records) apply to all students
12 regardless of their gender identity or gender expression.
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14 **IV. GENDER TRANSITION AT SCHOOL**

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16 Students who transition socially or physically at school have a right to a
17 safe and supportive environment. Steps taken to support students during
18 this time will be done in collaboration with the student first, then the
19 parent, with careful consideration given to student data privacy and
20 consent. If appropriate, school administration and staff shall work with any
21 such students and their parents/guardians (based on the students
22 individual needs) to identify which steps will create the necessary
23 conditions to make the transition experience as positive as possible.
24 Based on this work, the school, student, and parents/guardians will create
25 a tailored gender transition plan that ensures the school environment
26 remains both safe and supportive of the student. As each possible plan
27 will be highly individualized, the plan will be developed in collaboration
28 with the student, parent/guardian, school principal, Director of Student
29 Support Services and/or additional appropriate school staff.
30

31 **V. NAMES AND PRONOUNS USAGE**

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33 Students have the right to be addressed by a preferred name and by a
34 pronoun corresponding to their gender identity. A court-ordered name or
35 gender change is not required, and a student need not change official
36 records in order to have this right honored by all members of the school
37 community. Official records must identify a student with their legal name
38 and assigned gender, unless the student has legally changed their name.
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40 **VI. DRESS CODE**

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42 Students have the right to dress in accordance with their gender identity,
43 within the constraints of the dress code specified in the Richfield Public
44 Schools handbook or policy. School staff will not enforce the school's
45 dress code more strictly toward transgender and gender nonconforming
46 students than other students. Richfield Public Schools will not require

1 gender stereotypical fashion or dress. Richfield Public Schools will avoid
2 the use of gender pronouns when describing dress in its dress code.

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4 **VII. GENDER-SEGREGATED ACTIVITIES, RULES, POLICIES AND**
5 **PRACTICES**

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7 Richfield Public Schools shall evaluate all gender-based activities,
8 curricula, rules, policies, and practices – including but not limited to
9 classroom activities, school ceremonies, and school photos – and
10 maintain only those that have a clear and sound pedagogical purpose. In
11 situations where students are segregated by gender, students have the
12 right to participate in any such activities or conform to any such rule,
13 policy, or practice in a manner that aligns with their gender identity
14 consistently asserted at school.

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16 All students, regardless of their gender identity, have the right to
17 participate fully in overnight trips and other activities. In all cases, the
18 school has an obligation to maintain the privacy of all students and cannot
19 disclose or require the disclosure of the student’s transgender status to
20 the other students or the parents/guardians of other students.

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22 **VIII. PHYSICAL EDUCATION CLASSES AND INTRAMURAL AND**
23 **INTERSCHOLASTIC ATHLETICS**

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25 All students have the right to participate in physical education classes,
26 intramural sports, and interscholastic athletics in a manner that aligns with
27 their gender identity. For participation on interscholastic athletic teams,
28 this policy will not supersede Minnesota State High School League policy
29 related to transgender student eligibility and participation.

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31 **IX. ACCESS TO RESTROOMS, LOCKER ROOMS, AND CHANGING**
32 **AREAS**

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

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40 **X. PRIVACY**

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42 All students have a right to privacy. A student’s transgender or gender
43 nonconforming status is private information. Related information, such as
44 the student’s legal name, may also constitute private information.

1 Information regarding a student's transgender or gender nonconforming
2 status may also be confidential medical information. Disclosing this
3 information to other students, other students' parents, or other third
4 parties may violate privacy provisions in certain laws, such as the federal
5 Family Educational Rights and Privacy Act (FERPA) and the Minnesota
6 Government Data Practices Act. Disclosure of this information to school
7 employees is also limited to those employees who have a legitimate
8 educational reason for obtaining the information.
9

10 Richfield Public Schools shall keep private all personal information
11 relating to transgender and gender nonconforming students in accordance
12 with Board Policy 581 and applicable laws. School staff shall not disclose
13 information that may reveal a student's transgender status to others,
14 including other students' parents and other school staff, unless legally
15 required to do so or when written permission has been given by the
16 parent(s)/guardian(s) or the student who is over 18 years of age.
17

18 Transgender and gender nonconforming students have the right to
19 discuss and express their gender identity and gender expression openly
20 and to decide when, with whom, and how much private information to
21 share. The fact that a student chooses to disclose their transgender status
22 to staff or other students does not authorize school staff to disclose other
23 private information about the student.
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27 ***Legal Reference:***

28 Minn. Stat. § 121A.04 (Athletic Programs; Sex
29 Discrimination)
30 Minn. Stat. . § 121A.031 (Safe and Supportive Minnesota
31 Schools Act)
32 Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial
33 Harassment and Violence Policy)
34 Minn. Stat. § 363A (Minnesota Human Rights Act)
35 20 U.S.C. §§ 1681-1688 (Title IX of the Education
36 Amendments of 1972)
37 34 C.F.R. Part 106 (Implementing Regulations of Title IX)
38 *Montgomery v. ISD No. 709*, 109 F.Supp. 2d 1081, 1093 (D.
39 Minn. 2000).
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41 ***Cross References:***

42 Policy 102 (Equal Educational Opportunity)
43 Policy 103 (Bullying Prohibition Policy)
44 Policy 108 (Hazing Prohibition)
45 Policy 113 (Bullying Prohibition)
46 Policy 505 (Student Disability Nondiscrimination)
47 Policy 506 (Student Sex Nondiscrimination)

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Policy 541 (Student Behavior)
Policy 581 (Protection and Privacy of Pupil Records)
Minnesota State High School League Official Handbook
300.00 Bylaws: Administration of Student Eligibility

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