

INDEPENDENT SCHOOL DISTRICT 283

SECTION/FILE **536**

DATE OF ADOPTION: 6/11/18

REVISED: 09/29/20

TITLE **Gender Inclusion**

I. PURPOSE

All students of the school district, including transgender and gender diverse students, deserve respectful and inclusive learning environments that value students' gender identity and gender expression. The school district strives to provide programming and facilities where all students feel safe and supported.

II. GENERAL STATEMENT OF POLICY

The school district's staff and systems ensure inclusive access to programming and facilities. In accordance with its procedures, and in consultation with students, parents, and/or guardians, the school district will:

- A. Respect all students' gender identity and gender expression.
- B. Identify and address students by their preferred names and pronouns
- C. Within academic programming, prohibit the separation of students and/or curricular materials based upon gender unless it serves as a legitimate pedagogical tool and aligns with the purpose of this policy.
- D. Provide all students the opportunity to participate in co-curricular and extracurricular activities in a manner consistent with their gender identity, including but not limited to intramural and interscholastic athletics, and in conformance with Minnesota State High School League rules and regulations, where applicable.
- E. Provide all students with access to facilities that align with students' gender identity.
- F. Respect the safety and privacy of all students, pursuant to district policy 515 (Protection & Privacy of Pupil Records) and state and federal privacy laws.
- G. Ensure that all district policies, including but not limited to policies 102 Equal Education Opportunity, 413 Harassment and Violence, 423 Employee-Student Relationships, 425 Staff Development, 514 Bullying Prohibition, 515 Protection & Privacy of Pupil Records, 522 Student Sex Nondiscrimination, 526 Hazing Prohibition, 528 Student, Parental, Family & Marital Status Nondiscrimination and 610 Field Trips apply to all students, regardless of their gender identity or gender expression.

- H. Recognize the existence of intersectionality of race and gender identity and race and gender expression and support efforts to mitigate adverse effects on students' well-being, academic success and ability to participate fully in the school community.

III. TERMINOLOGY

- A. "Gender" refers to the socially constructed roles, activities, behaviors and attributes that a given society attaches to femininity or masculinity.
- B. "Gender Expression" means the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- C. "Gender Identity" means a person's deeply held sense or knowledge of one's own gender, regardless of the sex assigned at birth.
- D. "Gender Non-Binary" is an umbrella term for people who transcend commonly held concepts of gender through their own expressions and identities. Other terms for this include gender diverse, gender expansive, gender creative, gender nonconforming or genderqueer. Some non-binary people also identify as transgender.
- E. "Transgender" is an umbrella term describing persons whose gender identity or expression is different from that traditionally associated with the sex at birth.

The School Board understands that terminology used to describe gender, gender expression and gender identity can differ or vary between cultures and every effort should be made to use terms that honor the individual's identity.

IV. Reporting Procedures

- A. Any person who believes there has been a violation of this policy shall report the alleged violation immediately to an appropriate school district official designated by this policy.
- B. The school district encourages the reporting party or complainant to use the report form available online or from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of a violation of this policy at the building level. Any person may report a violation directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district

human rights officer by the reporting party or complainant.

- D. The building report taker shall ensure that this policy and its procedures, practices, consequences and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation.

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall report situations, circumstances, or events that might be a violation of this policy.
- F. Reports of a violation of this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of a policy violation and the record of any resulting investigation.
- G. Submission of a good faith complaint or report of a policy violation or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.
- H. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.
- I. All students are to be made aware of the reporting procedures annually.

V. Annual Review

The School Board will review this policy annually. Review should include voices of students affected by this policy, update from Superintendent including what professional development was offered to staff.

VI. Professional Development

The Superintendent will provide annual professional development to ensure that staff understands their responsibilities pursuant to this policy. Professional development must include:

- A. Review of this policy and its implementation at all school sites.
- B. Additional attention will be given to the intersectionality of race and gender inclusion.
- C. Attention should be paid to educating staff on reporting procedures.

LEGAL REFERENCES:

Minn. Stat. ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act)

Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy) 20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)

CROSS REFERENCES:

St. Louis Park School District Policy 102 – Equal Education Opportunity

St. Louis Park School District Policy 413 – Harassment and Violence

- St. Louis Park School District Policy 423 – Employee -Student Relationships
- St. Louis Park School District Policy 425 – Staff Development
- St. Louis Park School District Policy 514 – Bullying Prohibition
- St. Louis Park School District Policy 515 – Protection & Privacy of Pupil Records
- St. Louis Park School District Policy 522 – Student Sex Nondiscrimination
- St. Louis Park School District Policy 526 – Hazing Prohibition
- St. Louis Park School District Policy 528 – Student Parental, Family and Marital Status
Nondiscrimination
- St. Louis Park School District Policy 610 – Field Trips