

EQUAL EDUCATIONAL OPPORTUNITIES

The School District is committed and dedicated to the task of providing the best education possible for every child in the District for as long as the student can benefit from attendance and the student's conduct is compatible with the welfare of the entire student body.

The right of the student to be admitted to school and to participate fully in curricular, extracurricular, student services, recreational or other programs or activities shall not be abridged or impaired because of a student's sex, race, religion, national origin, ancestry, color, creed, pregnancy, marital or parental status, sexual orientation, gender identity (including gender expression, gender non-conformity, and transgender), physical, mental, emotional or learning disability or handicap. In addition, this school district is committed to providing learning environments free of discrimination on the basis of HIV infection or perceived HIV infection. To promote a productive learning environment, we must encourage an atmosphere respectful of individual differences so that people can learn in a functional and non-threatening atmosphere.

Students who have been identified as having a handicap or disability, under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, shall be provided with reasonable accommodations in educational services or programs. Students may be considered handicapped or disabled under this policy even if they are not covered under the district's special education policies and procedures.

The District shall also provide for the reasonable accommodation of a student's sincerely held religious beliefs with regard to examinations and other academic requirements. Requests for accommodations shall be made in writing and approved by the building principal. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, released time from school to participate in religious activities and opportunities to make up work missed due to religious observances. Any accommodations granted under this policy shall be provided to students without prejudicial effect.

Gender identity issues can affect student use of facilities and the provision of equal educational opportunities. The definitions below are not intended to label students but rather to assist in understanding these guidelines and District expectations for staff under District policies. Students may or may not use these terms to describe themselves.

Definitions

- A. "Transgender" describes people whose gender identity is different than their biological sex assigned at birth.

- B. “Gender identity” is a person’s deeply held sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth. Everyone has a gender identity.
- C. “Gender nonconforming” describes people whose gender expression differs from stereotypical or prevailing social expectations, such as “feminine” boys or “masculine” girls, or those who are perceived as androgynous.
- D. “Gender expression” refers to the way a person expresses gender, such as clothing, hairstyles, activities or mannerisms.
- E. **"Ancestry" refers to the country from where your ancestors came.**
- F. **"National Origin" refers to the country from where you were born.**
- G. **"Creed" refers to the basic beliefs of a religious faith.**

Any student who has a need or desire for increased privacy, regardless of the underlying reason, may be provided with access to a single-access restroom where such a facility is reasonably available, but no student shall be required to use such a restroom because of the student’s transgender or gender nonconforming status.

If a transgender student makes a request regarding use of segregated restrooms, segregated locker rooms or any similar changing area, or other physical space in which biological sex assigned at birth is generally a consideration in segregating students, that request may be first considered on a case-by-case basis, taking into account the relevant interests of the student, the District, and other students potentially affected by the request. A student who is transgender will generally be permitted to access the men’s/women’s or boy’s/girl’s segregated restrooms that correspond to the gender identity that the student consistently asserts at school and in other social environments.

Any student who has a need or desire for increased privacy, regardless of the underlying reason, may be provided (to the extent reasonably available) with a reasonable alternative changing area (for example, a nearby restroom stall with a door, an area separated by a curtain, a physical education teacher’s office in the locker room, or a nearby single-access restroom) or provided with an alternative changing schedule. Any alternative arrangement should be provided in a way that gives adequate consideration to relevant privacy concerns.

If a transgender student makes any request regarding the use of locker rooms or any similar type of changing area, the request shall be assessed on a case-by-case basis to (a) facilitate the transgender student’s access to the District’s physical education curriculum and other relevant programs; (b) ensure adequate student privacy and safety; and (c) minimize stigmatization of the transgender student. The physical layout of the facility and the degree of undress required when changing for the applicable activity are examples of factors that will be considered in making the arrangements. A student who is transgender will generally be permitted to access the

men's/women's or boy's/girl's segregated locker rooms that correspond to the gender identity that the student consistently asserts at school and in other social environments.

All students have the option of consistently accessing the facilities that correspond to the biological sex that the student was assigned at birth. Accordingly, the District's willingness to address individualized concerns and requests that relate to restroom and changing area access does not mean that any student is required to establish an individualized arrangement or plan with the school.

Physical Education Classes, Activities, and Sports

A student who is transgender shall be permitted to participate in physical education classes and intramural sports in a manner consistent with the gender identity that the student regularly asserts at school and in other social environments.

Students who are transgender shall be permitted to participate in interscholastic athletics in a manner consistent with the requirements and policies of the Wisconsin Interscholastic Athletics Association (WIAA).

Dress Codes

Within the constraints of the District's dress code policy and dress codes adopted by the school, students may dress in accordance with their gender identity. School personnel shall not enforce a dress code more strictly against transgender and gender nonconforming students than other students.

Questions and Complaints

Questions and complaints regarding the interpretation or application of this policy shall be referred to the Director of Human Resources or the Director of Student Services (District's Equity Coordinators) and processed in accordance with established procedures.

Notice of this policy and its accompanying complaint procedures shall be published at the beginning of each school year and posted in each school building in the district. In addition, a student nondiscrimination statement shall be included on student and staff handbooks, course selection handbooks and other published materials distributed to the public describing school activities and opportunities.

411 continued

LEGAL REF.: Section 118.13 Wisconsin Statutes
 PI 9 and PI 41 of the Wisconsin Administrative Code
 Title IX, Education Amendments of 1972
 Title VI, Civil Rights Act of 1964
 Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act
Civil Rights Act of 1991

Cross Ref.: 342.1, Programs for Students with Disabilities
411-Rule (1), Student Discrimination/Harassment Complaint Procedures
411-Rule (2), Title IX/Section 504 complaint Procedure
411-Exhibit, Discrimination/Harassment Form
444, School Age Parents and Married Students
512, Sexual Harassment
Special Education Handbook

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Waunakee Community School District