

Addressing the Rights and Needs of Students with Diverse Gender Identities or Expressions

Purpose:

Innovations International Charter School of Nevada (IICSN) is committed to providing a safe, supportive, and respectful learning environment for all students, including those with diverse gender identities or expressions while assuring that every student shall have equal access to the school's educational programs and activities. Included, but not limited to these would be school building, school buses, and at school-sponsored activities. Innovations requires that all schools and all personnel promote acceptance and respect among students and staff. State law protects students from discrimination based on gender identities or expressions.

This policy reflects the reality that students with diverse gender identities or expressions are enrolled in the school. Its purpose is to advise school staff regarding issues related to these students in order to create and maintain a safe learning environment for all students. The guidelines provide in this policy do not anticipate every situation that might occur with respect to students with diverse gender identities or expressions. The needs of each student with diverse gender identities or expressions are unique. The needs of each student must be assessed on a case-by-case basis. In all cases, the goal is to foster the safe and healthy development of students with diverse gender identities or expressions while maximizing the student's social integration into the school setting and minimizing stigmatization of the students. This policy should be interpreted consistent with the goals of reducing stigmatization and ensuring the integration of students with diverse gender identities or expressions in educational programs and activities.

Innovations International Charter School will not require proof of medical treatments as a prerequisite for respecting a student's gender identity or expression. If the school's administration has an objective basis that would justify questioning whether a student's asserted gender identity or expression is genuine, he/she may ask for information to show the gender identity or expression is sincerely held.

Definitions:

These definitions are provided not for the purpose of labeling students, but to assist in understanding this policy.

1. **Classroom Activities:** Activities that provide education or instruction for all students, other than field trips. Nothing in this definition requires adoption of a specific curriculum.
2. **Gender Expression:** The manner in which a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
3. **Gender Identity:** A student's understanding, outlook, feelings, and sense of being masculine, feminine, both, or neither, regardless of the student's sex assigned at birth.

4. **Gender Support Team:** When a child identifies as being gender diverse, a group is convened to address the individual needs of the student. The group will consist of the student's parent (s), the student, Administration, Counseling, and any representative of community-based groups (including faith) as requested by the parent(s).
5. **Parent:** A parent is defined as: (a) biological or adoptive parent, (b) legal guardian, (3) a person acting in the place of a parent with whom the child lives, (d) a person who is legally responsible for the child's welfare, or (e) an emancipated student.
6. **Sexual Orientation:** Means having or being perceived as having an orientation for heterosexuality, homosexuality, or bisexuality. Individuals may identify their sexual orientation as heterosexual, lesbian, gay, bisexual, questioning, or in other terms. Not all transgender youth identify as gay, lesbian, bisexual or questioning, and not all gay, lesbian, bisexual and questioning youth display gender non-conforming characteristics.
7. **Transgender:** A term used to describe a person whose gender identity, or expression is different from that traditionally associated with an assigned sex at birth. Other terms that can have similar meanings are transsexual and trans.
8. **Transition:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

Rights and Protections

A. Right to Privacy

- a. Students with diverse gender identities or expressions have a right to privacy, including keeping private their sexual orientation, gender identity, transgender status or gender non-conforming presentation at school. Students with diverse gender identities or expressions have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how to share their private information.
- b. Staff shall not disclose information that may reveal a student's diverse gender identities or expressions status to others, including parents/guardians and other staff members, unless there is a specific 'need to know', at which point they are legally required to do so or unless the student has authorized such disclosure.
- c. Staff must be mindful of the confidentiality and privacy rights of students when contact parents/guardians so as to not reveal, imply, or refer to a student's actual or perceived sexual orientation, gender identity, or gender expression.
- d. The school shall not disclose information that may reveal a student's gender identity or expression status to the following:
 1. Other students
 2. Parent of other students
 3. Staff members unless there is a specific need to know
 4. Unless legally required to do so
 5. Unless the parent has authorized, in writing, such disclosure

B. Names/Pronouns

- a. Student have the right to be addressed by the names and pronouns that correspond to their gender identity. Using the student's preferred name and pronoun promotes the safety and well-being of the student. When possible, the requested name shall be included in the school's electronic database in addition, to the student's legal name, in order to inform faculty and staff of the name and pronoun to use when addressing the student.
- b. A student is not required to change his/her official school record or obtain a court-ordered name or gender change in order to be addressed at school by the name and pronoun which corresponds to their gender identity. Such a request may be made by the student or by his/her parent or guardian. If a student initiates such a request, the student and the student's parent or guardian will be consulted.
- c. If a student obtains a court order changing his/her names or recognized gender, the student or his/her parent or guardian should notify the school of the court order and the official school records will be modified as appropriate in accordance with the court order.

C. Restroom Access

- a. A student with diverse gender identities or expressions' restroom access may be determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- b. Students with diverse gender identities or expressions have the right to access restrooms consistent with their gender identity or expression as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- c. Students with diverse gender identities or expressions may use restrooms consistent with their sex assigned at birth, subject to any individual requests for privacy, as determined on a case-by-case basis through the Gender Support Plan process.

D. Locker Rooms or Other Facilities

- a. Students with diverse gender identities or expressions may have locker room access as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- b. Students with diverse gender identities or expressions have the right to access locker rooms consistent with their gender identity or expression as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- c. Student may use locker rooms that are consistent with their sex assigned at birth, subject to any individuals request for privacy, as determined on a case-by-case basis through the Gender Support Plan process.

E. Overnight Field Trips

- a. Students with diverse gender identities or expressions have the right to participate in overnight field trips, as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- b. Student with diverse gender identities or expressions may participate in overnight field trips consistent with their gender identity or expression as determined by the Gender Support Plan process, subject to any individual requests for privacy.
- c. Student with diverse gender identities or expressions may participate in overnight field trips consistent with their sex assigned at birth, subject to any individual requests for privacy, as determined on a case-by-case basis through the Gender Support Plan process.

F. Physical Education Class and Athletics

A student with diverse gender identities or expressions shall be permitted to participate in physical education classes and intramural sports in a manner that is consistent with their gender identity.

G. Interscholastic Competitive Sports Teams

Participation in interscholastic athletics by transgender or gender non-conforming students in a manner consistent with their gender identity will be addressed on a case-by-case basis, consistent with the rules and bylaws governing interscholastic sports competition, the Nevada Interscholastic Activities Association (NIAA), Title IX, and any other applicable laws, rules, or bylaws.

H. Dress Code

Students with diverse gender identities or expressions have the right to dress in accordance with the gender identity or gender expression they consistently assert at school and within the requirements of the school's dress code uniform policy.

I. Yearbook Photos

Schools shall offer one of two alternatives in order to accommodate the needs of the students with diverse gender identities or expressions.

1. Allow students the option to select their preferred picture attire or uniform, regardless of their biological sex and which is consistent with the student's asserted gender identity, or
2. Adopt a standardized gender neutral picture 'uniform' such as a cap and gown

J. Academic Programming

The school discourages, within academic programming, the separation of students based upon gender unless it serves a compelling instructional or academic interest.

K. Gender Segregation in Other Activities

In other circumstances where students are separated by gender in school activities (ex: class discussions, field trips, etc.) students with diverse gender identities or expressions shall be permitted to participate in accordance with their gender identity that is asserted at school. Activities that may involve the need for accommodation to address student privacy concerns will be addressed on a case-by-case basis. In such circumstances, staff shall make a reasonable effort to provide an available and reasonable accommodation for the student that can address any such concerns.

L. Official Records

Innovations International Charter School is required to maintain a mandatory permanent record which includes the legal name of the student as well as his/her gender. The school shall only change a student's official records to reflect a change in legal name or gender upon receipt of documentation that such legal name and/or gender have been changed in accordance with the Nevada legal requirements.

Gender Support Plan to Address the Rights and Needs of Students with Diverse Gender Identities or Expressions

In order to address the rights and needs of students with diverse gender identities or expressions, a Gender Support Plan will be created for each student by the Gender Support Team, a team led by the administrator and counselor.

- A. The Gender Support Plan requirements and components will be consistent with the requirements of this policy. Each Gender Support Plan for students with diverse gender identities or expressions must include the following components.
1. Methods to ensure protection of the privacy of the student
 2. Methods to support the appropriate engagement of the parent(s) of the student
 3. Compliance with the Nevada Interscholastic Activities Association (NIAA) if interscholastic activities are considered
 4. Compliance with the Nevada Equal Employment of Places of Public Accommodations law
 5. Consideration of the rights and needs of the student for which the plan is developed, as well as the capacity of the school and the rights and needs of the student body at large, including individual requests for privacy
- B. Innovations shall take measures to ensure access to academic courses and services that are appropriate for and supportive of students with diverse gender identities or expressions, including without limitation:
- a. Classroom activities that are relevant, meaningful, and appropriate for students with diverse gender identities or expressions and do not discriminate or segregate according to gender identity or expression
 - b. Physical education, assemblies, dances, ceremonies, and other school activities shall be appropriate for students with diverse gender identities or expressions and not discriminate or segregate according to gender identity or expression
 - c. Intramural and interscholastic activities, in accordance with the regulations and policies of the NIAA
 - d. Innovations shall ensure that student with diverse gender identities or expressions shall have access to all clubs and the ability to form a student club
- C. As part of the students Gender Support Plan, the school has a process that will allow a student to use his/her preferred name and gender on unofficial records. The unofficial records may include, but are not limited to: (a) identification badges, (b) classroom and homeroom rosters, (c) certificates, (d) programs, (e) announcements, (f) office summons, (g) communications, (h) team and academic rosters, (i) newspapers, (j) newsletters, (k) yearbooks, and (l) other site-generated unofficial records.

The process is:

1. School Administration receives a written request from a parent
2. School Administration schedules a meeting with the Gender Support Team to address the parent's written concern to support the student's gender identity or expression
3. Outcomes of the request determine and if agreed on, appropriate changes shall be made in the school's Student Information System.

Official records, to include permanent records are maintained in perpetuity through the Clark County School District. These include the legal name of the student and the student's gender as indicated on official government-issued documentation issued documents such as birth certificates, passports, and identification cards/permits. The school will change a student's name and gender on official records only when the name of the student has been changed by court order.

Professional Development and Training

Innovations International Charter School of Nevada will provide professional development and training concerning the rights and needs of students with diverse gender identities or expressions, on an annual basis, for the Governing Board, administrators, teachers, and support staff employed at the school as prescribed by this policy. Elements of this professional development shall include

- Awareness of the rights and needs of students with diverse gender identities or expressions
- Training in the appropriate methods of cultural competency to facilitate positive learning environments, social emotional learning skills, and appropriate human relations among all students
- Training concerning the needs of persons with diverse gender identities or expressions as it pertains to the prevention and discrimination, harassment, bullying, and cyberbullying
- Training regarding the requirements of state laws and regulations, which require the school to develop a Gender Support Plan with a team led by the administration and counselors
- Training in methods to support the appropriate engagement of the parents of students with diverse gender identities or expressions
- Training addressing the definitions and terminology in describing the requirements, needs, and experiences of persons with diverse gender identities or expressions

The school shall develop methods for discussion the meaning and substance of this policy with staff in order to address the rights and needs of individuals with diverse gender identities or expressions and ensure they are safe, included, and respected.

Complaint Procedures

Persons who believe they have been discriminated against or believe they have witnessed discrimination against a student because of their gender identity or expression may file a complaint with the Human Resources Department or Title IX Programs office by:

1. Emailing their complaint to: ken_malin@iicsn.org
2. Calling the school at 702-216-4337 and asking for Mr. Malin

Innovations will establish methods to ensure that disciplinary action against an employee, volunteer, tutor, or student for the improper use of a name or pronoun, selected during the Gender Support team meeting, only if the Team considers the action or actions to meet the definition of bullying as prescribed in Nevada Revised Statutes (NRS) 388.122 through NRS 388.124 inclusive, or violate any policy governing a safe and respectful learning environment or bullying/cyberbullying.

