



Serving Gender Diverse Students



Serving Gender Diverse Students North Clackamas School District

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A message from Superintendent Matt Utterback

January, 2017

The North Clackamas School District is a community of learners committed to equity and the success of each student. This commitment means that student success will not be predicted nor predetermined by one's identity.

In education, each person has an obligation to each other, to each student, family, and staff member to ensure a learning environment that holds at its center a sense of safety and respect. Unlike tolerance, which would have us acknowledge our differences; safety and respect creates a space where each of us has worth and value, inclusive of our background, race, religion, income, gender, gender identity and sexual orientation.

We recognize that an inclusive, barrier-free environment is one that supports student self-expression both in ways that conform and do not conform to societal expectations for students of their birth assigned gender.

The purpose of this document is to highlight best practices to serve our district's gender diverse students and to provide resources for educators. As noted in our district Equity Policy, the North Clackamas School District is committed to the following foundational beliefs:

1. Each student can learn with adequate support at the highest levels when all staff provide equitable access and opportunity for learning, and hold each student to high expectations;
2. Maximizing the academic achievement of every child requires allocating resources equitably, not necessarily equally;
3. Everyone in the district will act to eliminate disparities to prepare all students for college and career and;
4. An inclusive and welcoming environment plays a critical role in supporting a child's educational goals.

Recognizing the unique needs of gender diverse students is the foundation for providing the supports these students need. Each child in our school system deserves an environment of safety and respect. Thank you for keeping students at the center of our work.

Sincerely, Matt

Utterback

Superintendent, North Clackamas Schools

Definition of Terms

Oregon Department of Education Guidance to School Districts: Creating a Safe and Supportive School Environment for Transgender Students, 5/2016, p. 2:

<http://www.ode.state.or.us/groups/supportstaff/hklb/schoolnurses/transgenderstudentguidance.pdf>

Understanding the common terminology associated with gender identity is important to providing a safe and supportive school environment for students. The following definitions used by research, advocacy and governmental organizations are provided to assist in understanding the guidance presented. Although these are the most commonly used terms, students may use other terms to describe their gender identity, appearance, or expression. Terminology and language describing transgender and gender nonconforming individuals can differ based on region, language, race or ethnicity, age, culture, and many other factors. It is recommended that school staff and educators inquire about which terms a student uses to describe themselves and their experience. A good general guideline is to employ those terms which the student uses to describe themselves.

Definitions:

1. Assigned sex – Sex recorded at birth, usually on the basis of external genitalia.
2. Cisgender – A term used to describe people who, for the most part, identify with the sex they were assigned at birth.
3. Gender binary – The assumption that there are only two genders (male and female), rather than more than two genders or gender fluidity.
4. Gender expression – How people express their gender externally based on mannerisms, dress, etc. A person's gender expression/presentation may not always match their gender identity.
5. Gender identity – A person's internal sense of being male, female or some other gender, regardless of whether the individual's appearance, expression or behavior differs from that traditionally associated with the individual's sex assigned at birth. Gender identity is distinct from and often unrelated to an individual's sexual orientation.
6. Gender role – The socially determined sets of behaviors assigned to people based on their biological sex.
7. Gender sensitive – Materials and instruction strategies that are sensitive to an individual's similarities and differences regarding gender role, gender identity and/or sexual orientation.

8. Genderqueer – A person whose gender identity cannot be categorized as solely male or female. The term is not a synonym for transgender and should only be used if someone self-identifies as genderqueer.
9. Intersex – An umbrella term used for people born with reproductive or sexual anatomy and/or chromosome pattern that does not seem to fit the typical definition of male or female. Intersex may also be known as Difference of Sex Development and may not always be known at birth, but may be revealed at any stage of a person's life.
10. Sexual orientation – Means a person's physical, romantic, emotional, aesthetic, or other form of attraction to others. Sexual orientation and gender identity are not the same. Although, the Oregon Legislature adopted a broader definition of "sexual orientation" for purposes of all Oregon statutes to "mean an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth." (ORS 174.100)
11. Transgender – An umbrella term for persons whose gender identity, gender expression, or behavior does not conform to that typically associated with the sex to which they were assigned at birth. Persons who identify as transgender may or may not pursue medical transition. Note: This term is an adjective. Using this term as a verb (i.e., transgendered) or noun (i.e., transgenders) is offensive and should be avoided. "Transvestite" is considered derogatory by many in the United States.
12. Transgender female – This is a person whose assigned sex at birth is male but identifies and lives as a female.
13. Transgender male – This is a person whose assigned sex at birth is female but identifies and lives as a male.
14. Transition – The time when a person begins living as the gender with which they identify rather than the gender they were assigned at birth, which often includes changing one's first name and dressing and grooming differently. Transition may or may not also include medical and legal aspects, including taking hormones, having surgery, or changing identity documents (e.g. driver's license, Social Security record) to reflect one's gender identity. Not all transgender individuals seek medical care as part of their transition or have access to such care. The decision about which steps to take as part of one's transition is a deeply personal and private choice. You should never ask someone if they have had any medical procedures, and you should respect the privacy of a student's transition process.
15. Transsexual – An outmoded term that refers to a person who has permanently changed - or seeks to change - their bodies through medical interventions (including but not limited to hormones and/or surgeries). Unlike transgender, transsexual is not an

umbrella or popular term. Many transgender people do not identify as transsexual and prefer the word transgender. It is best to use transgender instead unless the individual uses this term to describe themselves.

Equal Education Opportunity

Equal Educational Opportunity Policy JB: <http://policy.osba.org/nclack/J/ JB D1.PDF>

Oregon law protects persons from discrimination in educational programs on the basis of race, color, religion, sex, sexual orientation¹, national origin, age, marital status, or disability. The North Clackamas School District board policy JB also protects the rights of students to have equal access to school and school programs.

“Every student of the district will be given equal educational opportunities regardless of age, disability, sex, marital status, sexual orientation, national origin, color, race or religion. No student shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity provided or authorized by the district. The district staff is directed to make a continuous effort to provide equal educational opportunities for students and to eliminate those conditions which may cause discrimination.”

Conditions may include but are not limited to any form of exclusion from participation, intimidation, harassment, undue discipline such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, failure to act on behalf of a student, or other unwarranted disciplinary action based on a student’s race, ethnicity, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies or religion.

Names and Pronouns

Oregon Department of Education Guidance to School Districts: Creating a Safe and Supportive School Environment for Transgender Students, 5/2016, p. 6:
<https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/TransgenderStudentGuidance.pdf>

The North Clackamas School District expects staff to address and refer to each student by their preferred name. Preferred name is defined as the name the student wishes to go by and have others use. This includes the preferred names of transgender² and gender-nonconforming

¹Current Oregon law defines “sexual orientation” as an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

²“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income or disability.

students as determined by the parent and the student. Pronouns corresponding to the student's gender identity should also be used in a manner that matches with the student's stated preference. Staff should note the student's preferred name in the student information system so substitute teachers do not accidentally use the non-preferred name.

While unintentional mistakes may occur, district staff, including substitutes, may not intentionally refuse to use a student's preferred name and pronoun that corresponds with the student's gender identity.

Gender Neutral pronouns:

- "Zie" (pronounced "z") is subjective and is used instead of "she" or "he."
- "Hir" (pronounced "here") is both objective and possessive and is used instead of "him," "his," "her," and "hers."
- "They," "them," and "their" are also gender neutral and can be used as singular gender-neutral pronouns.

School and Official Records

North Clackamas Gender and First Name Change Process for Transgender Students: nclack.k12.or.us/sites/default/files/fileattachments/instructional_services/page/2231/gender_and_first_name_change_process_ncsd.pdf

For many transgender students, being able to alter their school records and documents is personally and legally important. Not only does having the appropriate name and gender listed reflect and validate their identity, but it also allows them to avoid continually having to explain why they use a name different from their birth name and why their appearance does not match a photo or gender designation on an identification card or other school records.

Moreover, updated records and documents can ensure that transgender students will not be inadvertently outed and will help protect them from discrimination when they apply for jobs and seek admission to college.

North Clackamas School District will change a current or former student's gender and legal first name upon request from the parent, legal guardian or student. The change must be requested in writing and the first name change must be related to a gender change.

There is no need for the student to "prove" his/her new gender. A parent checking a box on the student registration form likely made the original gender designation. The student's or parent's latter declaration of a change in gender is also acceptable.

In general, North Clackamas School District maintains the expectation that the legal name in school records be consistent with the legal name of the student. In the case of transgender students, it may be necessary to deviate from this practice to support and protect the student from being inadvertently outed and potentially exposed to bullying and harassment.

Additionally, transgender students often make the transition in stages and may not be ready to

complete the legal name change process. Schools will develop an internal communication plan that will help to avoid inadvertent harm.

To support these students, below is the procedure North Clackamas School District will follow:

- Receive written request for gender and/or legal first name change from student, parent or legal guardian. Date the request and place it in the student's cumulative folder.
- Notify staff members who have an educational interest.
- Update the student's gender in the Student Information System.
- Replace the student's legal first name with the new preferred name in the Student Information System.
- Student retains the same SSID.
- Notify Technology and Information Services of the student's name and gender changes so student accounts can be updated and the SSID can be maintained.

This process applies to gender and legal first names in the case of transgender students only. Last names cannot be changed without legal name change documentation.

A student may also have a legal name change. In this case, the student and or family may present a copy of the legal court document to the school secretary who will then change the legal name within the student information system.

If the student is 18 years or older, parent involvement is encouraged but not required.

If a student under the age of 18 wishes to make a preferred name and or gender change in the student information system and does not have parent or guardian support, staff should contact the school principal in order to create a plan of support for the student.

Transcripts and Other Official Documents

Oregon Department of Education Guidance to school Districts: Creating a Safe and Supportive School Environment for Transgender Students, 5/2016, p. 8:

<https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/TransgenderStudentGuidance.pdf>

When a student changes a name and/or gender through a legal process, official records will be sent to colleges and other institutions of the student's request under the student's legal name.

When a student has not had a legal name change, the student and/or parent can choose to have these records sent under the legal or the preferred name. North Clackamas School District will produce transcripts and diplomas/ certificates in both the preferred and legal names upon request.

Restroom Accessibility and Locker Room Accessibility

NCSD Communication Regarding Single User Restrooms 2/2017:

https://www.nclack.k12.or.us/sites/default/files/fileattachments/instructional_services/page/2231/single_user_restrooms.pdf

Each school maintains separate restroom and locker room facilities for male and female students. Students can access facilities that correspond to their gender identity. Gender specific restrooms and locker rooms may meet the needs of many students, however, not all students feel safe in gender specific, multi-user facilities. To that end, students and the school community are welcome to use single-user restrooms available in North Clackamas schools. These restrooms benefit many members of a school community including:

- students and adults who desire increased privacy for any reason
- parents/ guardians assisting their child while visiting the school, and
- individuals with disabilities who may want greater privacy

Dress Codes

North Clackamas School District Student and Family Handbook 2016-2017, p. 24:

<http://www.nclack.k12.or.us/site/Default.aspx?PageID=248>

The North Clackamas School District's dress code is established to promote appropriate grooming and hygiene, prevent disruption and avoid safety hazards. Dress should be appropriate for the work students do in each classroom setting.

Students have the right of freedom of expression in their dress as long as it is not inappropriate, puts any student in danger, disrupts the classroom environment, and does not interfere with another student(s) access to an education. Dress should also appropriately cover the body. Dress should be suitable for the classroom environment.

Participation in Athletics and Activities

OSAA Handbook 2016-2017, Section 41, Gender Identity Participation:

<http://www.osaa.org/governance/handbooks/osaa>

For physical education and intramural athletics, students shall be allowed to participate with students of their gender identity and this includes but is not limited to uniforms and or clothing that corresponds with the student's gender identity expression.

North Clackamas School District follows the Oregon School Activities Association established policy addressing participation in interscholastic sports by transgender and transitioning students. (Appendix D) The 2016 OSAA Handbook states:

A female--to--male transgender student athlete who is not taking hormone treatment related to

gender transition may participate on a boys or girls team, but once the student selects the gender of the team on which the student wishes to participate, the student thereafter must consistently participate on teams of that gender in all sports for the duration of their high school career.

- A male--to--female transgender student who is not taking hormone treatment related to gender transition may participate only on a boys team.
- A female--to--male transgender student who is taking medically prescribed testosterone for the purposes of gender transition may participate only on a boys team.
- A male--to--female transgender student who is taking medically prescribed hormone treatment for the purposes of gender transition may participate on a boys team at any time, but must complete one year of hormone treatment related to gender transition before competing on a girls team.

Bullying and Harassment

Hazing/ Harassment/ Intimidation/ Bullying/ Menacing/ Cyberbullying/ Teen Dating Violence/ Domestic Violence – Student ** Policy JFCF:
<http://policy.osba.org/nclack/J/JFCF G2.PDF>

The North Clackamas School District is committed to providing a positive and productive learning environment where hazing, harassment, intimidation or bullying, menacing and acts of cyberbullying by students, staff and third parties toward students are strictly prohibited.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district- provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

- Physically harming a student or damaging a student’s property;
- Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
- Creating a hostile educational environment including interfering with the psychological well being of the student and may be based on, but not limited to, the protected class of the person.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income or disability.

Reporting

Hazing/ Harassment/ Intimidation/ Bullying/ Menacing/ Cyberbullying/ Teen Dating Violence/ Domestic Violence – Student ** Policy JFCF: <http://policy.osba.org/nclack/J/JFCF G2.PDF>

The building administrator will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building administrator who has overall responsibility for all investigations.

Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyberbullying to the building administrator may be subject to remedial action, up to and including dismissal.

Appendices

- A. Oregon Department of Education Guidance to School Districts: Creating a Safe and Supportive School Environment for Transgender Students, 5/2016
<https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/TransgenderStudentGuidance.pdf>
- B. North Clackamas School District Policy JB, 12/2012
<http://policy.osba.org/nclack/J/JB D1.PDF>
- C. North Clackamas Gender and First Name Change Process for Transgender Students
nclack.k12.or.us/sites/default/files/fileattachments/instructional_services/page/2231/gender_and_first_name_change_process_ncsd.pdf
- D. North Clackamas School District communication regarding single user Restrooms
- E. North Clackamas School District Student and Family Handbook 2016-2017
<http://www.nclack.k12.or.us/site/Default.aspx?PageID=248>
- F. Oregon School Athletic Association OSAA Handbook 2016-2017 Section 41 Gender Identity Participation <http://www.osaa.org/governance/handbooks/osaa>

- G. North Clackamas School District Policy JFCF, 1/2016
<http://policy.osba.org/nclack/J/JFCF G2.PDF>

- H. North Clackamas School District Policy GCCB_GDCB_IKAAA D1, 4/2015
http://policy.osba.org/nclack/G/GCCB_GDCB_IKAAA D1.PDF – English
http://policy.osba.org/nclack/G/GCCB_GDCB_IKAAA_SPANISH D2.PDF – Spanish
http://policy.osba.org/nclack/G/GCCB_GDCB_IKAAA_RUSSIAN D4.PDF – Russian
http://policy.osba.org/nclack/G/GCCB_GDCB_IKAAA_VIETNAMESE D3.PDF - Vietnamese