

Lakeland Joint School District No. 272

STUDENTS

3281

Gender Identity and Sexual Orientation

The Board supports the Lakeland Joint School District 272, located at 15506 N Washington Street, Rathdrum, ID 83858 (hereinafter referred to as “District Office”) together with its staff members, educators, volunteers, and employees (hereinafter individually and collectively referred to as “District”) mission to maximize student learning every day in all environments on academic subject matters and recognizes the rights of parents, guardians, and caregivers to discuss, address, and educate their child on every subject matter, especially the non-academic subject matters not addressed in the District.

The following definitions are provided for clarification.

Gender Identity

Gender Identity is perceived by some as a person’s inner sense of being male, female, or other. Gender Identity is not a subject matter the District shall discuss, address, or educate children about. It is the District’s position that discussing, addressing, and educating children about Gender Identity is the responsibility of a child’s parent, custodian, or legal guardian.

Gender Expression

Gender Expression is perceived by some as the external expression of gender roles through socially defined behaviors and ways of dressing. Gender Expression is not a subject matter the District shall discuss, address, or educate children about. It is the District’s position that discussing, addressing, and educating children about Gender Expression is the responsibility of a child’s parent, custodian, or legal guardian.

Sexual Orientation

Sexual Orientation is perceived by some as one’s inherent attraction to a sexual partner of a certain gender, or the absence of gender preference in a sexual relationship. Sexual Orientation is not a subject matter the District shall discuss, address, or educate children about. It is the District’s position that discussing, addressing, and educating children about Sexual Orientation is the responsibility of a child’s parent, custodian, or legal guardian.

Transgender Identity

Transgender Identity is perceived by some as noting or relating to a person whose ‘gender identity’ does not correspond to the person’s biological sex, societal expectations, gender norms or roles. Transgender Identity is not a subject matter the District shall discuss, address, or educate children about. It is the

District's position that discussing, addressing, and educating children about Transgender Identity is the responsibility of a child's parent, custodian, or legal guardian.

Biological Sex

Biological Sex means the immutable biological and physiological characteristics, specifically the chromosomes and internal and external reproductive anatomy, genetically determined at conception and generally recognizable at birth, that define an individual as male or female.

The District recognizes and respects the Biological Sex of all students, as recorded at birth, and indicated on a certified birth certificate. The District does not recognize Gender Identity as a factor in determining a student's sex. All school facilities, activities, programs, and sports teams are based on Biological Sex and not Gender Identity.

School Facilities

Students shall use the restrooms and locker rooms that correspond to their Biological Sex.

In the event a student is unwilling or unable to use school facilities designated for the person's Biological Sex, the building administration shall work with the student and their parents to provide reasonable accommodations for the student. Reasonable accommodations shall not include allowing access to facilities designated for use by members of the opposite sex while members of the opposite sex are present or could be present.

School Activities

Students shall participate in school activities based on their Biological Sex. Activities under the direction of the Idaho High School Activities Association (IHSAA) shall be subject to IHSAA rules and regulations.

School Trips

In the event of an overnight trip sponsored by the District, students shall be assigned sleeping accommodations corresponding to their Biological Sex. In the event of a conflict regarding sleeping accommodations, District administration shall consider reasonable accommodations depending on the circumstance or situation.

Dress Code

All students shall dress in accordance with Policy 3255, Student Dress.

School Dances

Participation in school-sanctioned dances shall be open to all eligible students.

Student Records

Official student records, as required by law, shall utilize the student's legal name as identified on a certified birth certificate. In the event the official record requires identifying a student's gender, the student's Biological Sex, as identified on the certified birth certificate, shall be used.

Change of Official Student Records

Official student records may be changed when a current or former student presents an amended certified birth certificate, as recognized by the state of Idaho, or a court order, as recognized by the state of Idaho, to the District Office.

Confidentiality

In the event district staff observes and/or learns of known changes in a student's mental, emotional, physical health or well-being, building administration shall follow District protocols when addressing self-harm, self-mutilation, suicidal ideation, and/or changes in identity, etc.

Safe Environment

It is the responsibility of the District to ensure all students have a safe school environment. Discrimination, harassment, bullying, or sexual harassment complaints shall be handled pursuant to Policy 3280, Equal Education, Nondiscrimination, and Sex Equity, and Policy 3295, Hazing, Harassment, Intimidation, Bullying, Cyber Bullying.

Compelled Speech

It is not the intent of the District or its employees to be intentionally disparaging regarding the use of specific pronouns. Forcing students or teachers to use pronouns that do not correspond with an individual's biological sex is a violation of the First Amendment. The District cannot compel speech and require its administration, employees, or students to affirm any belief they do not hold.

Cross Reference:	2140	Student and Family Privacy Rights
	3255	Student Dress
	3280	Equal Education, Nondiscrimination, and Sex Equity
	3290	Sexual Harassment / Intimidation of Students
	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
	3575	Student Data Privacy and Security

Legal References:	I.C. § 32-1010	Idaho Parental Rights Act
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I.C. § 33-133(1)(j)(ii) Student Data – Items Not to Be Included
in a Student’s Educational Record

I.C. § 33-6001 Parental Rights

I.C. § 33-6203 Designation of Athletic Teams

I.C. § 33-6601 Legislative Findings

I.C. § 33-6602 Definitions

I.C. § 33-6603 School Restrooms

I.C. § 33-6604 Exemptions

I.C. § 33-6605 Reasonable Accommodations

I.C. § 33-6607 Preemption

20 U.S.C. §§ 1681-1682 Title IX of the Education Amendments
of 1972

State of Tenn., et al. v. U.S. Dep’t of Educ., No. 3:21-cv-308
(E.D. Tenn.) (July 15, 2022)

Ricard v. USD 475 Geary County, KS School Board et. al.
(March 7, 2022)

Other Reference:

Idaho High School Activities Association, Current Rules and
Regulations, Rule 11-3: Transgender Student Participation
<https://idhsaa.org/asset/Rules%20&%20Regs/RULE%2011.pdf>

Policy History:

Adopted on: April 10, 2023

Revised on: May 08, 2023

Revised on:

Reviewed on: