



Book	District Policy
Section	A - Foundations and Basic Commitments
Title	Support Of Transgender Students
Code	AC-E-3
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Support of Transgender Students

Colorado Law and District Policy AC require that all programs, activities, and employment practices be free from discrimination based on sex or sexual orientation, including transgender status. This exhibit is issued to facilitate compliance with local, state, and federal laws concerning discrimination and in keeping with the District's mandates to provide a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities. This policy sets a protocol for schools and District staff to address the needs of students who are transgender and clarify how to protect the rights and safety of all students, including transgender students.

The goal of this policy is to ensure the safety, comfort, and healthy development of all students while maximizing social integration and minimizing stigmatization of transgender students. Although the District cannot anticipate every situation that may occur with respect to students who are transgender, the needs of every student must be addressed in each situation.

Policy AC and this exhibit cover conduct that takes place in schools, on school property, at school-sponsored functions and activities, on school buses or vehicles, and at school bus stops. In addition, they refer to the use of electronic technology and electronic communication on District-owned devices, networks, forums and mailing lists.

The definitions below are provided to clarify the terminology used in this policy and assist in understanding the legal obligations of District staff. They are not intended to label students who may or may not use these terms to describe themselves.

- "Gender identity" is a person's deeply held sense, or psychological knowledge of, his/her/their own gender, regardless of the biological sex at birth. Transgender individuals' gender identity differs from their biological sex.
- "Gender expression" describes the manner in which people represent or express their gender to others, commonly through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- "Transgender" describes people whose gender identity or expression is different from the biological sex assigned to them at birth. Other terms that can have similar meaning are "transsexual" and "trans".
- "Gender fluid" refers to change over time in a person's gender expression or gender identity, or both.
- "Non-binary" describes a person whose gender identity is not exclusively male or female, including those who identify as a gender other than male or female, as more than one gender, or as no gender.

- “Transition” is the process by which a person changes his or her gender expression to better reflect his or her gender identity. In general, presenting themselves to others in a manner consistent with their gender identity. This may include using a nickname and/or choosing clothes and hairstyles that reflect their gender identity.
- “Questioning” refers to being unsure of and/or exploring gender identity, sexual orientation, or both.

Areas of Support

All students have a right to privacy, including the right to keep one’s transgender status private at school. School personnel should not disclose medical or other information that may reveal a student’s transgender status unless legally required to do so or unless the student has authorized such disclosure.

When a student undergoes a gender transition during the school year, issues of privacy become much more difficult to manage. In all cases, staff must meet with the transitioning student and consider the health, well-being, and safety of all students when supporting the transitioning student.

School administrators are directed to work with students and parents to identify the appropriate steps to support the transition. See exhibits AC-E-4, AC-E-5, and AC-E-6 for more information.

In addition, the school will include educators who interact directly with the student when developing the transition plan.

Every student has the right to be addressed by the name and pronoun that corresponds to the student’s gender identity. A court-ordered name or gender change is not required, and official records need not be changed.

The student’s preferred name and/or gender may be used on school records and documents that do not require use of the student’s legal name and gender.

A student’s official record shall be changed to reflect a change in name and/or gender upon receipt of documentation that such change was made pursuant to a court order, or through amendment of state or federally issued identification.

Transgender students shall have access to the restroom and other facilities that corresponds to their gender identity consistently asserted at school. Students who desire more privacy may use a restroom stall or an all-gender restroom that is accessible to students of all genders, regardless of the underlying reason.

Students who are transgender have the right to dress in a manner consistent with their gender identity consistently asserted at school and in compliance with the District and school dress code. The dress code may not be enforced more strictly against transgender students than other students.

Students have the right to equitable access to activities and programs in their school. Students may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the basis of gender identity in any program or activity. These activities and programs may include but are not limited to dances, pep assemblies, acknowledgements, after school programs and extracurricular activities.

Participation in intramural sports and competitions shall be facilitated in a manner consistent with the student’s gender identity asserted at school.

Schools will advocate with the CHSAA for students who are transgender and gender nonconforming to be permitted to participate in interscholastic athletics in a manner consistent with their gender identity as reflected in official school records (see above section “Official Records” regarding amendment of records). The CHSAA guidelines of the Colorado High School Athletics Association can be reviewed at

https://chsaanow.com/TRANSGENDER_POLICY_STATEMENT_2019

In the planning of sleeping arrangements during overnight activity and athletic trips, the needs of students who are transgender shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration and equal opportunity to participate in overnight activity and athletic trips, ensuring the student's safety and comfort, and minimizing stigmatization of the student. In most cases, students who are transgender should be assigned to share overnight accommodations with other students that share the student's gender identity consistently asserted at school.

Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable accommodation, which may include a private room.

Any alternative arrangement should be provided in a way that allows the student's transgender status to be kept confidential. In no case shall a student who is transgender be required to share a room with students whose gender identity conflicts with their own.

Legal:

20 U.S.C. §1681 (Title IX of the Education Amendments of 1972)

42 U.S.C. §2000d (Title VI of the Civil Rights Act of 1964)

42 U.S.C. §2000e (Title VI of the Civil Rights Act of 1964, as amended)

CO SB 08-200 Concerning the Expansion of Prohibitions against Discrimination