



Saint Paul
PUBLIC SCHOOLS

Gender Inclusion Policies - 3rd Reading

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- **Policy 500.00 (Students) - Update**
- **Policy 416.00 - (Staff) - Proposed**

Board of Education - October 22, 2024
Myla Pope, Director, Office of Equity

Policy 500.00 - Gender Inclusion

Why are we proposing to amend this policy?

- Policy was adopted 3/17/2015 and has not since been updated
 - Terminology and other language in the policy needs to be updated
 - Audience and scope also needs to be considered
 - The current policy is limited to students
 - The current policy sits within the gender binary

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Policy 500.00 - Shifts

- Policy 500.00 will be exclusive to students
- See all proposed changes to Policy 500.00 [HERE](#)

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Policy 500.00 - New Language

Item	Rationale
<p>Purpose Statement: This policy addresses the inequities some students, including intersex, transgender, gender fluid, questioning, gender queer, gender diverse, and gender creative students, confront as they navigate a system designed using a cisgender, binary model.</p>	<ul style="list-style-type: none"> Shifted the existing General Statement to the Purpose Statement for alignment. Updated language to include current terminology. Included terminology that aligned to how students identify themselves 276
<p>General Statement of Policy: The students of Saint Paul Public Schools (SPPS) deserve respectful and inclusive learning environments that foster a sense of belonging and value respect their gender identity and gender expression. SPPS ensures that all students have access to programming and facilities in which they feel comfortable, safe, and supported, included, and empowered.</p>	<ul style="list-style-type: none"> Shifted the existing Purpose Statement to the General Statement for alignment. Updated language to be more inclusive. Included additional language that students identified as important.

Policy 500.00 - New Language

Item	Rationale
<p>Definitions - All definitions will be identified by a letter instead of a number.</p>	<ul style="list-style-type: none">Aligns to the current policy template that is being used.
<p>D. Gender Identity refers to a person's inherent sense of being a man, woman, both, or neither. A person's gender identity may or may not correspond to their assigned sex at birth or to their primary or secondary sex characteristics. A person's gender identity is not necessarily visible to others. deeply held sense or knowledge of their own gender, including their name and pronouns.</p>	<ul style="list-style-type: none">The Minnesota Human Rights Act definition of the term added in 2023. Minn.Stat. Sec. 277 363A.03, subd. 50. Updated language to add consideration for name and pronouns.

Policy 500.00 - New Language

Item	Rationale
<p>E. Gender Fluid is a term that refers to someone whose gender identity is not fixed and may shift over time.</p>	<ul style="list-style-type: none">Added the term Gender Fluid to provide a term that students found significant alignmentProvided a definition for the term Gender Fluid.
<p>F. Questioning is a term that refers to someone who has not yet self-defined self identified their sexual orientation, gender identity, gender expression, or some combination of the three.</p>	<p style="text-align: right;">278</p> <ul style="list-style-type: none">Added the term Questioning to provide a term that students found significant alignmentProvided a definition for the term Questioning.

Policy 500.00 - New Language

Item	Rationale
<p>G. Gender Diverse is an umbrella term that refers to someone who identifies and/or expresses themselves outside of the gender binary. Their gender identity and/or expression may not fit neatly into a category based on stereotypical gender constructs.</p>	<ul style="list-style-type: none">• The term is a new letter.• Replaced the term Gender Nonconforming with Gender Diverse to provide a more inclusive term• Provided a definition for the term Gender Diverse.
<p>H. Gender Creative is an umbrella term that refers to someone who is exploring their gender identity beyond their assigned gender at birth and/or the gender binary in ways that are authentic to them. It may also be a term to identify their gender outside of stereotypical gender constructs.</p>	<ul style="list-style-type: none">• The term is a new letter.• Added additional language based on feedback.

Policy 500.00 - New Language

Item	Rationale
<p>I. Gender Queer is an umbrella term that refers to someone who does not follow binary gender norms.</p>	<ul style="list-style-type: none">Added the term Gender Queer to provide an umbrella term that included non-binary identities of which students found significantProvided a definition for the term Gender Queer. <p>280</p>
<p>J. Cisgender refers to someone whose gender identity matches the gender sex they were assigned at birth.</p>	<ul style="list-style-type: none">Updated definition to reflect that gender is a social construction.

Policy 500.00 - New Language

Item	Rationale
<p>K. Sex refers to a person's biology and is generally categorized as male, female, or intersex.</p>	<ul style="list-style-type: none">• The term is a new letter.
<p>L. Intersex is an umbrella term that refers to people who are born with variations in sex traits or reproductive anatomy. There are a wide variety of differences among these traits, which might not fit inside stereotypical assumptions of male or female bodies. These variations include internal and/or external anatomy, hormones or chromosomes.</p>	<ul style="list-style-type: none">• The term is a new letter. <p>281</p>

Policy 500.00 - New Language

Item	Rationale
<p>M. Transgender is an adjective describing persons whose gender identity or expression is different from the gender sex they were assigned at birth.</p>	<ul style="list-style-type: none">• The term is a new letter.• Updated definition to reflect that gender is a social construction.
<p>N. Transitioning refers to the process of someone making changes to live according to their gender identity, also known as gender affirmation. The process of transitioning, or affirming one's gender identity, may look different for everyone. The process may include a "coming out" period where information is shared with others; name, pronoun and/or gender updates to legal documentation; and various types of medical procedures/treatments. Transitioning may include processes not listed above.</p>	<ul style="list-style-type: none">• Added the term because transitioning was added to the policy under Ensure Gender Inclusiveness.

Policy 500.00 - New Language

Item	Rationale
<p>IV. Ensure Gender Inclusiveness Statement: SPPS staff and systems ensure equitable and inclusive access to programming and facilities. In accordance with procedure, the District will:</p>	<ul style="list-style-type: none"> Added the word equitable to make sure equity is also central to the statement.
<p>Items - All listed items will be identified by a letter instead of a number.</p>	<p style="text-align: right;">283</p> <ul style="list-style-type: none"> Aligns to the current policy template that is being used.
<p>Ensure Gender Inclusiveness: A. Respect the gender identity and gender expression of all students' by honoring their right to be identified and addressed by their self-identified name and pronouns. Staff will not refer to a student using their "dead name."</p>	<ul style="list-style-type: none"> Shifted language around within the statement for clarity Updated language from <i>preferred name and pronoun</i> to <i>self-identified name and pronouns</i> to provide empowering language. Added language regarding the use of dead names.

Policy 500.00 - New Language

Item	Rationale
<p>Ensure Gender Inclusiveness: B. A Student Support Team may meet to determine a Student Support Plan. The Student Support Team will consist of the student, parent(s) or legal guardian(s) when possible, a school counselor, a school social worker, and the principal or the principal's administrative designee. The student may also invite an additional adult advocate(s) to the team, if they feel the support would be beneficial.</p>	<ul style="list-style-type: none">• The Student Support Team is referenced in the procedural documents and is an important part of ensuring that gender inclusiveness is supported at the building level.• "When possible" was added based on student experiences 284• Advocate was updated to advocate(s) based on student perspective.
<p>Ensure Gender Inclusiveness: C. Within academic programming, prohibit the separation of students and/or curricular materials based upon perceived gender unless it serves as a compelling pedagogical tool.</p>	<ul style="list-style-type: none">• Added language to reflect that gender is a social construction.

Policy 500.00 - New Language

Item	Rationale
<p>Ensure Gender Inclusiveness: E. Provide all students with access to facilities that best align with students' gender identity, and/or the facilities the student feels comfortable and safe accessing.</p>	<ul style="list-style-type: none">Additional language was added to protect gender diverse students that do not align to the gender binary. <p>285</p>
<p>Ensure Gender Inclusiveness: F. Provide all students the opportunity to socially transition during the timing and manner of which they choose. Administrators and staff will respect the right of the students and families to disclose information regarding this confidential and private process. Information related to a student's transition cannot be disclosed without consent of the student and/or family.</p>	<ul style="list-style-type: none">Included language to support the process of transitioning for students.

Policy 500.00 - New Language

Item	Rationale
Legal References: U.S.C. Amend.XIV § 2 (Equal Protection Clause of the 14th Amendment)	<ul style="list-style-type: none">● To include an additional related legal reference.
Cross References to District Policies: 501.03 Student Dress Code	<ul style="list-style-type: none">● To include recently adopted district policy.²⁸⁶

Policy 500.00 - Questions

- Questions

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Policy 416.00 - Gender Inclusion - Staff

Why are we proposing the adoption of this policy?

- The current Gender Inclusion Policy is exclusive to students
- See proposed policy [HERE](#)

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Policy 416.00 - Gender Inclusion - Staff

Purpose of policy: This policy addresses the inequities some staff, including intersex, transgender, **agender**, gender diverse, and gender creative staff confront as they navigate a system designed using a cisgender, binary model.

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General Statement of policy: The staff of Saint Paul Public Schools (SPPS) deserve respectful, **dignified**, and inclusive work environments that foster a sense of belonging and value their gender identity and gender expression. SPPS ensures that all staff have access to inclusive ~~professional development opportunities, work settings, and facilities~~ **work settings, facilities, and professional development opportunities** in which they feel comfortable, safe, and supported.

Policy 416.00 - Gender Inclusion - Staff

Revisions to terms and/or definitions since last reading

E. Agender is a term that refers to someone that has an internal sense of being neither male, female, or some combination of male and female.

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G. Gender Creative is an umbrella term that refers to someone who is exploring their gender identity beyond their assigned gender at birth and/or the gender binary **in ways that are authentic to them**. It may also be a term to identify their gender outside of stereotypical gender constructs.

Policy 416.00 - Gender Inclusion - Staff

Revisions to terms and/or definitions since last reading

H. Cisgender refers to someone whose gender identity matches the **sex** they were assigned at birth.

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K. Transgender is an adjective describing persons whose gender identity or expression is different from the **sex** they were assigned at birth.

Policy 416.00 - Gender Inclusion - Staff

Revisions to terms and/or definitions since last reading

L. Transitioning refers to the process of someone making changes to live according to their gender identity, also known as gender affirmation. The process of transitioning, or affirming one's gender identity, may look different for everyone. The process may include a "coming out" period where information is shared with others; name and/or gender updates to legal documentation; and various types of medical procedures/treatment **s.**

~~Transitioning is not exclusive to any of the processes listed above.~~

Transitioning may include processes not listed above.

Policy 416.00 - Gender Inclusion - Staff

IV. Ensure Gender Inclusiveness

SPPS staff and systems ensure equitable and inclusive access to **work settings, facilities, and professional development opportunities.** ~~professional development, work environments, and facilities.~~ The District will:

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- A. Respect the gender identity and gender expression of all staff members by honoring their right to be identified and addressed by their self-identified name and pronouns.

Policy 416.00 - Gender Inclusion - Staff

IV. Ensure Gender Inclusiveness (continued)

- B. Within professional development and work meetings, prohibit the separation of staff and/or work materials based upon **perceived** gender unless it serves as a compelling andragogical approach and/or pedagogical tool. **If separation were to occur, each staff member will have the right to determine the grouping that aligns to their identity. Staff members may also elect to “sit out” during this process.**

Policy 416.00 - Gender Inclusion - Staff

IV. Ensure Gender Inclusiveness (continued)

C. Provide all staff with equitable access to facilities that best align with their gender identity, and/or the facilities the staff feels comfortable and safe accessing.

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D. Employees often continue to work while they transition. Administrators and supervisors must be sensitive **and responsive** to transgender, gender diverse, or gender creative employees' reported concerns related to issues of belonging, safety, privacy, and needs associated with transitioning under the Minnesota Human Rights Act.

Policy 416.00 - Gender Inclusion - Staff

IV. Regulations (Additional Section)

A. Confidentiality and Privacy

Saint Paul Public School employees have the right to disclose or keep private their gender identity and/or gender expression. Staff elect when and with whom they share their private information. Personal and medical details related to an individual's gender identity and/or transgender status is their private information and legally protected. Individuals must consent to others disclosing their personal, private information. Circulating information and/or details about a staff member's gender identity, gender expression, or gender transition is unacceptable **and may result in disciplinary action**. These practices do not align to creating belonging in SPPS through an inclusive, safe, and supportive work environment.

Policy 416.00 - Gender Inclusion - Staff

IV. Regulations (Additional Section - continued)

B. Official Records

Employees have the right to update their self-identified names and pronouns with Human Resources through the district's employee information management system. Employee's self-identified names will be reflected in their email addresses, technology display names, and ID badges. The staff member's pronouns and photograph on their ID badge may also be updated to reflect the employee's gender identity and expression. Employees do not need to produce documentation of a legal name change in order to update their self-identified name with HR. Documentation of a legal name change is required for an update to employee records beyond the district's information system (i.e. Federal and State tax documents).

Policy 416.00 - Gender Inclusion - Staff

IV. Regulations (Additional Section - continued)

A. Dress Code

Saint Paul Public Schools will not restrict an employee's clothing, appearance, or expression on the basis of gender identity.

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Policy 416.00 - Questions

- Questions

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Policy 500.00
GENDER INCLUSION

I. PURPOSE

This policy addresses the inequities some students, including intersex, transgender, gender fluid questioning, gender queer, gender diverse, and gender creative students, confront as they navigate a system designed using a cisgender, binary model.

II. GENERAL STATEMENT OF POLICY

The students of Saint Paul Public Schools (SPPS) deserve respectful and inclusive learning environments that foster a sense of belonging and value respect their gender identity and gender expression. SPPS ensures that all students have access to programming and facilities in which they feel comfortable, safe, and supported, included, and empowered.

III. DEFINITIONS

- A. **Gender** refers to the socially constructed roles, behaviors, activities, and attributes that a given society attaches to femininity or masculinity.
- B. **Gender Binary** refers to the social construction of a gender dichotomy between masculinity and femininity. The gender binary often ignores or denigrates alternate gender constructions.
- C. **Gender Expression** refers to the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- D. **Gender Identity** refers to a person's inherent sense of being a man, woman, both, or neither. A person's gender identity may or may not correspond to their assigned sex at birth or to their primary or secondary sex characteristics. A person's gender identity is not necessarily visible to others. deeply held sense or knowledge of their own gender, including their name and pronouns.
- E. **Gender Fluid** is a term that refers to someone whose gender identity is not fixed and may shift over time.

- F. **Questioning** is a term that refers to someone who has not yet self-defined self-identified their sexual orientation, gender identity, gender expression, or some combination of the three.
- G. **Gender Diverse** is an umbrella term that refers to someone who identifies and/or expresses themselves outside of the gender binary. Their gender identity and/or expression may not fit neatly into a category based on stereotypical gender constructs.
- H. **Gender Creative** is an umbrella term that refers to someone who is exploring their gender identity beyond their assigned gender at birth and/or the gender binary in ways that are authentic to them. It may also be a term to identify their gender outside of stereotypical gender constructs.
- I. **Gender Queer** is an umbrella term that refers to someone who does not follow binary gender norms.
- J. **Cisgender** refers to someone whose gender identity matches the sex they were assigned at birth.
- K. **Sex** refers to a person's biology and is generally categorized as male, female, or intersex.
- L. **Intersex** is an umbrella term that refers to people who are both with variations in sex traits or reproductive anatomy. There are a wide variety of differences among these traits, which might not fit inside stereotypical assumptions of male or female bodies. These variations include internal and/or external anatomy, hormones or chromosomes.
- M. **Transgender** is an adjective describing persons whose gender identity or expression is different from the sex they were assigned at birth.
- N. **Transitioning** refers to the process of someone making changes to live according to their gender identity, also known as gender affirmation. The process of transitioning, or affirming one's gender identity, may look different for everyone. The process may include a "coming out" period where information is shared with others; name, pronoun and/or gender updates to legal documentation; and various types of medical procedures/treatments. Transitioning may include processes not listed above.

IV. ENSURE GENDER INCLUSIVENESS

SPPS staff and systems ensure equitable and inclusive access to programming and facilities. In accordance with procedure, the District will:

- A. Respect the gender identity and gender expression of all students' by honoring their right to be identified and addressed by their self-identified name and pronouns. Staff will not refer to a student using their "dead name."
- B. A Student Support Team may meet to determine a Student Support Plan. The Student Support Team will consist of the student, parent(s) or legal guardian(s) when possible, a school counselor, a school social worker, and the principal or the principal's administrative designee. The student may also invite an additional adult advocate(s) to the team, if they feel the support would be beneficial.
- C. Within academic programming, prohibit the separation of students and/or curricular materials based upon perceived gender unless it serves as a compelling pedagogical tool.
- D. Provide all students the opportunity to participate in co-curricular and extracurricular activities in a manner consistent with their gender identity, including but not limited to intramural and interscholastic athletics.
- E. Provide all students with access to facilities that best align with students' gender identity, and/or the facilities the student feels safest accessing.
- F. Provide all students the opportunity to socially transition during the timing and manner of which they choose. Administrators and staff will respect the right of the students and families to disclose information regarding this confidential and private process. Information related to a student's transition cannot be disclosed without consent of the student and/or family.

LEGAL REFERENCES:

Minn. Stat. ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act) Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)

20 U.S.C. § 1681 et seq. (Title IX)

20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)
U.S.C. Amend.XIV § 2 (Equal Protection Clause of the 14th Amendment)

CROSS REFERENCES TO DISTRICT POLICIES:

102.00 Equal Opportunity/Non-Discrimination

415.00 Harassment, Violence and Other Offensive Behavior

501.03 Student Dress Code

505.00 Bullying Prohibition

Policy 416.00

GENDER INCLUSION - STAFF**I. PURPOSE**

This policy addresses the inequities some staff, including intersex, transgender, **agender**, gender diverse, and gender creative staff confront as they navigate a system designed using a cisgender, binary model.

II. GENERAL STATEMENT OF POLICY

The staff of Saint Paul Public Schools (SPPS) deserve respectful, **dignified**, and inclusive work environments that foster a sense of belonging and value their gender identity and gender expression. SPPS ensures that all staff have access to inclusive **work settings, facilities, and professional development opportunities in which they feel comfortable, safe, and supported.** ~~professional development opportunities, work settings, and facilities in which they feel comfortable, safe, and supported.~~

III. DEFINITIONS

- A. Gender** refers to the socially constructed roles, behaviors, activities, and attributes that a given society attaches to femininity or masculinity.
- B. Gender Binary** refers to the social construction of a gender dichotomy between masculinity and femininity. The gender binary often ignores or denigrates alternate gender constructions.
- C. Gender Expression** refers to the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- D. Gender Identity** refers to a person's **inherent sense of being a man, woman, both, or neither. A person's gender identity may or may not correspond to their assigned sex at birth or to their primary or secondary sex characteristics. A person's gender identity is not necessarily visible to others.** ~~deeply held sense or knowledge of their own gender, including their name and pronouns.~~
- E. Agender** is a term that refers to someone that has an internal sense of being **neither male, female, or some combination of male and female.**
- F. Gender Diverse** is an umbrella term that refers to someone who identifies and/or expresses themselves outside of the gender binary. Their gender identity and/or expression may not fit neatly into a category based on

stereotypical gender constructs.

- G. **Gender Creative** is an umbrella term that refers to someone who is exploring their gender identity beyond their assigned gender at birth and/or the gender binary **in ways that are authentic to them**. It may also be a term to identify their gender outside of stereotypical gender constructs.
- H. **Cisgender** refers to someone whose gender identity matches the **sex** they were assigned at birth.
- I. **Sex** refers to a person's biology and is generally categorized as male, female, or intersex.
- J. **Intersex** is an umbrella term that refers to people who are born with variations in sex traits or reproductive anatomy. There are a wide variety of differences among these traits, which might not fit inside stereotypical assumptions of male or female bodies. These variations include internal and/or external anatomy, hormones or chromosomes.
- K. **Transgender** is an adjective describing persons whose gender identity or expression is different from the **sex** they were assigned at birth.
- L. **Transitioning** refers to the process of someone making changes to live according to their gender identity, also known as gender affirmation. The process of transitioning, or affirming one's gender identity, may look different for everyone. The process may include a "coming out" period where information is shared with others; name and/or gender updates to legal documentation; and various types of medical procedures/treatments. **Transitioning may include processes not listed above. Transitioning is not exclusive to any of the processes listed above.**

IV. ENSURE GENDER INCLUSIVENESS

SPPS staff and systems ensure equitable and inclusive access to **work settings, facilities, and professional development opportunities**, ~~professional development, work environments, and facilities~~. The District will:

- A. Respect the gender identity and gender expression of all staff members by honoring their right to be identified and addressed by their self-identified name and pronouns.
- B. Within professional development and work meetings, prohibit the separation of staff and/or work materials based upon **perceived** gender unless it serves as a compelling andragogical approach and/or pedagogical tool. **If separation were to occur, each staff member will have the right to determine the grouping that aligns to their identity. Staff members may also elect to "sit out" during this process.**
- C. Provide all staff with equitable access to facilities that best align with their

gender identity, and/or the facilities the staff feels comfortable and safe accessing.

- D. Employees often continue to work while they transition. Administrators and supervisors must be sensitive **and responsive** to transgender, gender diverse, or gender creative employees' reported concerns related to issues of belonging, safety, privacy, and needs associated with transitioning under the Minnesota Human Rights Act.

V. REGULATIONS

A. Confidentiality and Privacy

Saint Paul Public School employees have the right to disclose or keep private their gender identity and/or gender expression. Staff elect when and with whom they share their private information. Personal and medical details related to an individual's gender identity and/or transgender status is their private information and legally protected. Individuals must consent to others disclosing their personal, private information. Circulating information and/or details about a staff member's gender identity, gender expression, or gender transition is unacceptable **and may result in disciplinary action**. These practices do not align to creating belonging in SPPS through an inclusive, safe, and supportive work environment.

B. Official Records

Employees have the right to update their self-identified names and pronouns with Human Resources through the district's employee information management system. Employee's self-identified names will be reflected in their email addresses, technology display names, and ID badges. The staff member's pronouns and photograph on their ID badge may also be updated to reflect the employee's gender identity and expression. Employees do not need to produce documentation of a legal name change in order to update their self-identified name with HR. Documentation of a legal name change is required for an update to employee records beyond the district's information system (i.e. Federal and State tax documents).

C. Dress Code

Saint Paul Public Schools will not restrict an employee's clothing, appearance, or expression on the basis of gender identity.

LEGAL REFERENCES:

Minn. Stat. ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)

20 U.S.C. § 1681 et seq. (Title IX)

20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)

42 U.S.C § 1320 et seq. (HIPAA)

CROSS REFERENCES TO DISTRICT POLICIES:

102.00 Equal Opportunity/Non-Discrimination

401.00 Equal Employment Opportunity

405.00 Records: Personnel Records

415.00 Harassment, Violence and Other Offensive Behavior