

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 respect their gender identity and gender expression. SPPS ensures that all students have access to programming and facilities in which they feel comfortable, safe, 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.
- 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-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

