

Policy 418.00

**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.

**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. 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.

#### IV. ENSURE GENDER INCLUSIVENESS

SPPS staff and systems ensure equitable and inclusive access to work settings, facilities, and professional development opportunities. 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 acknowledge and be sensitive 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