

## **522.1 ADMINISTRATIVE PROCEDURE - GENDER IDENTITY**

### **I. PURPOSE**

Our efforts in this district in addressing safety and bullying should be in compliance with the expectations embedded in the Minnesota Safe and Supportive Schools Act.

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and on the basis of sex and sexual orientation pursuant to the Minnesota Human Rights Act. Under Title IX, sex includes failure to conform to sex-based stereotypes.

Under the Minnesota Human Rights Act, sexual orientation includes gender identity and gender expression. The purpose of this administrative procedure is to assist administrators and district staff in providing a safe, secure and dignified educational and work atmosphere for all students and staff. Please review this guidance in preparation for future situations that may arise involving transgender and gender diverse students and staff and refer back to it when needed. If issues arise that are not addressed within this administrative procedure or more information and support is desired, please contact the superintendent or superintendent designee for assistance.

### **II. DEFINITIONS**

#### **A. Gender**

Our body, identity and social gender (how we present our gender in the world and how individuals, society, culture, and community perceive, interact with, and try to shape our gender) are three distinct, but interrelated, components that comprise a person's experience of gender. Each of these dimensions can vary greatly across a range of possibilities. A person's comfort in their gender is related to the degree to which these three dimensions feel incongruence.

#### **B. Gender Identity**

Our deeply held, internal sense of self as masculine, feminine, a blend of both, neither, or something else. Identity also includes the name we use to convey our gender. Gender identity can correspond to, or differ from the sex we are assigned at birth.

#### **C. Gender Expression**

How an individual expresses or shows their gender to the world around them. This is our "public" gender. How we present our gender in the world and how society, culture, community, and family perceive, interact with, and try to shape our gender.

Gender expression is also related to gender roles and how society uses those roles to try to enforce conformity to current gender norms.

D. Transgender

Sometimes this term is used broadly as an umbrella term to describe anyone whose gender identity differs from their assigned sex. It can also be used more narrowly as a gender identity that reflects a binary gender identity that is “opposite” or “across from” the sex they were assigned at birth.

E. Gender Non-Conforming

Denoting or relating to a person whose behavior or appearance does not conform to prevailing cultural and social expectations about what is appropriate to their sex.

### III. SAFETY AND BULLYING

Address bullying and name-calling consistently and equitably. This includes name-calling and bullying based on gender stereotypes. Address claims of discrimination or harassment based on the person’s gender identity as one would all other types of claims.

### IV. NAMES AND PRONOUNS

A. “Chosen name” is a name that a person chooses to use for oneself, that is different from a person’s legal name.

B. "preferred gender pronoun" is the pronoun a person chooses to use for oneself.  
Examples of pronouns:

1. She, her, hers
2. He, him, his
3. They, them, theirs
4. Xe (“zee”), xir (“zeer”), xirs (“zeers”)

This is not a comprehensive list and students and staff should be allowed to identify their preferred pronouns.

Procedure: Staff are expected to refer to all students and staff by their chosen name and preferred gender pronouns.

### V. FACILITIES

The district will work to provide options-based universal access to facilities, based on need. This is considered a best practice for all students as it allows equitable access for all.

A. Bathrooms

Provide students and staff with access to restrooms that correspond to the gender identity the student or staff consistently asserts at school and make accessible a single-stall gender neutral restroom that is available to all students and staff and required of none.

B. Locker Rooms

Provide students with access to a locker room that corresponds to the gender identity the student consistently asserts at school. Alternate changing facilities are available to all students and required of none. Schools will work with students to make reasonable accommodations based on individual situations. For example, the person could be given access to a single stall gender non-specific or staff restroom, use of the Physical Education Office facility, or a private room for changing purposes.

## **VI. GENDERED ACTIVITIES**

Avoid using gender as a characteristic for divisions whenever possible. When groups are separated by gender, allow students to self-select the group in which they would feel most comfortable.

## **VII. FORMS, STUDENT RECORDS, AND STUDENT DATABASE**

The district is committed to updating forms and records to allow for students and families to report preferred name in addition to legal name and gender identity (male, female or non-binary) in addition to sex assigned at birth.

Students have the option to either update their preferred name and pronouns in the system (requires student signature) and/or to amend their identity in district technology systems (requires both student and parent/guardian signature for students under 18). Diplomas, transcripts and state testing materials will reflect the student's legal name. Students may request a duplicate diploma reflecting their preferred name.

[Name or Gender Identification Change Request](#)

## **VIII. PRIVACY**

School staff will be mindful of and uphold the right to privacy of our transgender and gender non-conforming students. Information will be shared with school staff about a specific student on a need-to-know basis. The student's well-being will be at the center of all decisions.

## **IX. DISSEMINATION OF ADMINISTRATIVE PROCEDURE AND EVALUATION**

- A. This administrative procedure shall be made available to all students, parents/guardians of students, staff members, employee unions and organizations.
- B. The school district shall review this administrative procedure and the school district's operation for compliance with state and federal laws prohibiting discrimination on a

continuous basis.

*Legal References:* Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act) 20 U.S.C. §§ 1681-1688  
(Title IX of the Education Amendments of 1972) 34 C.F.R. Part 106  
(Implementing Regulations of Title IX)  
20 U.S.C. § 1232g; 34 CFR Part 99 (Federal Educational Rights and Privacy Act)

*Cross Reference:* [RAS Policy 102.1 Equity Policy](#)