

ADMINISTRATIVE PROCEDURE 1.04
NONDISCRIMINATION COMPLAINT PROCEDURES AND GENDER INCLUSIVE PRACTICES

(1) To process alleged discrimination complaints in educational or employment policies and practices, individuals shall use existing procedures as follows:

- (a) Students may follow the procedures explained in Administrative Policy 8.27, Student Complaints and Grievances, and Administrative Procedure 8.01, Student Nondiscrimination, or they may elect to follow procedures enumerated in paragraph (2) below.
- (b) Employees shall follow the nondiscrimination procedures as outlined in the MPS Employee Handbook and in Administrative Policies and Procedures 6.02 and 6.03.

(2) In all other cases, complaints by parents, interested persons, or groups regarding alleged discrimination in educational policies and practices shall follow the procedure hereafter described:

- (a) The complaint shall be presented in writing to the administrator designated in the Parent/Student Handbook on Rights, Responsibilities and Discipline and in Administrative Procedure 8.01, as appropriate, with specific details and corresponding dates being a part of that presentation. In the event that the complaint is initiated by a student, the complaint may be presented by the student or his/her representative.
- (b) The administrator shall determine to which administrator the matter should be referred. The administrator so designated shall provide the complainant written acknowledgement of the receipt of the complaint within 45 days of receiving the complaint, including the date on which the complaint was received.
- (c) Following the written notification outlined in (2)(a) above, the designee of the administrator, as indicated above, shall convene a committee consisting of the Superintendent or his/her designee; the Executive Director, Department of Family and Student Services, or his/her designee; and the Chief of the Department of School Administration, or his/her designee. This committee will coordinate the investigation of the circumstances of the complaint. The designated employee will report in writing the committee's findings and resolution of the complaint to the Superintendent and complainant within 90 days of receipt of the written complaint unless otherwise agreed.
- (d) If the complainant remains unsatisfied after completion of the above three steps, the matter may be appealed as outlined in applicable state and federal law.

(3) The school district encourages the use of provisions (1) and (2) of these complaint procedures. If the complainant is still unsatisfied, the Department of Public Instruction; Department of, the Workforce Development, Equal Rights Division; Office for Civil Rights — U.S. Department of Education,, and the courts remain open to complainants.

(4) All such complaints shall be handled in a manner so as to maintain, as far as possible, the maximum confidentiality of all involved parties, including the complainants, the accused, and all witnesses.

(5) In order to ensure nondiscrimination based on gender identity, gender expression, gender nonconformity, all students and staff shall follow the guidance below:

- (a) Bullying and Harassment
 - i. Staff shall confront and report bullying, name calling, and any other type of harassment consistently.
 - ii. Bullying includes, but is not limited to, name calling and exposing an individual to negative actions, repeatedly and over time, in situations where he or she has

difficulty defending him or herself based on gender stereotypes, gender identity and gender expression.

(b) Official Records

- i. Students and staff shall be referred to by their preferred name and gender pronouns whenever possible.
- ii. All conversations regarding preferences for student records will be held with the student in private.

(c) Confidentiality

- i. Students and staff have a right to keep their personal information private.
- ii. Staff members shall not disclose information about a student's gender identity or gender expression to others unless legally obligated or expressly given permission by the student. The fact that a student chooses to disclose his or her transgender status to others does not authorize school staff to disclose information.
- iii. Transgender and gender nonconforming students and staff have the right to discuss and express their gender identity and expression openly.

(d) Gendered Classes and Activities

- i. Using gender to separate and/or identify students in physical education classes is discouraged. In circumstances where gender is used, students shall be permitted to participate consistent with their gender identity.
- ii. Students shall also be permitted to participate in intramural sports and club activities in a manner consistent with their gender identity.
- iii. Students shall not be disciplined or excluded from participating in activities for appearing or behaving in a manner that is consistent with their gender identity or that does not conform to stereotypical notions of masculinity or femininity (e.g., in yearbook photographs, at school dances, at graduation ceremonies, etc.).
- iv. Unless precluded by state interscholastic association policies, students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity.

(6) The school district encourages the use of provisions (1) and (2) of these complaint procedures to process alleged discrimination complaints in educational or employment policies and practices based on failure to follow gender inclusive practices.

History:	Adopted 3-2-76; Revised 1984, 9-18-14, 08-25-2016		
Cross Ref.:	Admin. Policy	6.02	Equal Employment Opportunity
		6.03	Anti-Harassment/Anti-Bullying: Staff
		8.01	Student Nondiscrimination
		8.52	Student Bullying
	Admin. Proc.	6.02	Equal Employment Opportunity Complaint Procedure