

## Nondiscrimination: Transgender Students

Washington state law prohibits discrimination in public schools based on gender expression and identity (RCW 28A.642.010). Students must be permitted to dress according to the gender in which they consistently identify and should be addressed and treated using the name and pronouns of their choice (i.e., “he” and “him” or “she” and “her”). School districts are encouraged to adopt gender-neutral dress codes that do not restrict a student’s clothing choices on the basis of gender. Dress codes should be based on educationally relevant considerations, apply consistently to all students, include consistent discipline for violations, and make reasonable accommodations when the situation requires an exception.

Individuals use a number of words to describe their gendered experiences. Some people may refer to themselves as trans, transsexual, transgender, male-to-female (MTF), female-to-male (FTM), two-spirit, and a variety of other terms. Terminology can differ based on region, language, race, ethnicity, age, culture, and many other factors. Some common terms are defined below:

- **Gender Expression** is how a person expresses their gender, often through behavior, emotional expression, mannerisms, dress, grooming, interests and activities.
- **Gender Identity** refers to one's deeply felt internal sense of being female, or male, or both, or neither, regardless of their gender assigned at birth.
- **Gender Nonconforming** describes a person whose gender expression differs from stereotypical expectations about how they should look or act based on the gender they were assigned at birth. This includes people who identify outside traditional gender categories or identify as both genders, or as gender neutral.
- **Biological Sex/Sex** refers to a person’s internal and external anatomy, chromosomes and hormones.
- **Transgender** is a general term often used to describe a person whose gender identity and/or expression is different from that traditionally associated with the person's gender assigned at birth.
- **Transitioning** refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

As school administrators become aware of individual, specific situations, they will inform their assistant superintendent or direct supervisor prior to developing a plan to meet the individual student’s needs.

Information about a student's gender status, legal name or gender assigned at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99). Therefore, to ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender nonconforming status to others, including the student's parents and/or other school personnel, unless the school is (1) legally required to do so; or (2) the student has authorized such disclosure.

A plan may be developed to meet the individual’s needs and requests which addresses one or more of the following:

- 1) Official records;
- 2) Confidential health or educational issues;
- 3) Communication and use of names and pronouns;
- 4) Restroom accessibility;
- 5) Locker room accessibility;
- 6) Sports and physical education classes;
- 7) Dress codes; and/or
- 8) Other school activities.

The district will provide staff training to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. When appropriate the content of additional professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying; and
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, gender identity and expression issues.

Discrimination and harassment on the basis of sex, sexual orientation, gender identity or expression are prohibited within the district. It is the responsibility of each school, the district and all staff to ensure all students, including transgender and gender non-conforming students, have a safe school environment. This responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the district's civil rights compliance coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled as other discrimination and/or harassment complaints. This includes investigating the incident and taking age and developmentally-appropriate corrective action. Anyone may file a complaint alleging a violation of this policy using the complaint process outlined in the district's Nondiscrimination Procedure 3210-P1.

For more information, please see the OSPI's Prohibiting Discrimination in Public Schools found at <http://www.k12.wa.us/equity/ProhibitingDiscrimination.aspx> and the Equity and Civil Rights page at [www.k12.wa.us](http://www.k12.wa.us).

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**Revised:**