

Gender Inclusive Schools Policy and Procedures



Summit Public Schools Washington (“Summit”) is committed to fostering an inclusive learning environment for all students. The Gender Inclusive Schools Policy (the “Policy”) is intended to advise school site staff and administration regarding transgender and gender non-conforming student concerns to ensure that every student has equal access to all components of their educational program in a setting free from discrimination and harassment.

The Board of Directors (the “Board”) believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex. To that end, the Board recognizes the importance of an inclusive approach toward transgender and gender-expansive students with regard to key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room use and accessibility, sports and physical education, dress codes, and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

This policy is a component of Summit’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure. Each Executive Director or the designee thereof will be the primary contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the School. Each Compliance Officer will participate in at least one mandatory training opportunity offered by OSPI.

This policy and its procedure will help facilitate compliance with local, state, and federal laws concerning harassment, intimidation, bullying, and discrimination. Related policies and complaint procedures include Summit’s Non-Discrimination Statement, Complaint Procedures, Title IX Policy Against Sex-Based Discrimination, located on the [Policies](#) and [Student and Family Resources](#) webpages.

Administrative Procedure – Gender-Inclusive Schools

The Executive Director and each Summit Public Schools Washington school (each, a “School” and, collectively, “Summit”) or an appropriate, designated school employee is encouraged to request a meeting with a transgender or gender-expansive student upon the student’s enrollment at the school or if contacted by a currently enrolled student who is changing or has changed their gender expression or identity. Before contacting a student’s parents, guardian, or

caregiver, the school will consult with the student about the student's preferences regarding family involvement and consider whether safety concerns are present for the student.

The goals of the meeting are to:

- develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that Summit will provide according to the Gender Inclusive Schools Policy and Procedures and under applicable State and federal law; and
- develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to their attendance at school.

The school may not require the student to attend a meeting as condition of providing them with the protection to which they are entitled under the Gender Inclusive Schools Policy and Procedure, and applicable State and federal law regarding gender expression or identity.

Key Definitions/Terms

As used in the Gender Inclusive Schools Policy and Procedure and related Summit policies and procedures:

- **Assigned sex at birth:** The sex a person was given at birth, usually based on anatomy or chromosomes (e.g., male, female, intersex, etc.).
- **Cisgender:** A term used to describe people whose assigned sex matches their gender identity and/or gender expression (e.g., someone who was assigned female at birth and whose gender identity and/or gender expression is also female).
- **Gender Expansive:** A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.
- **Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.
- **Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, non-binary, gender-expansive, or other, regardless of the gender assigned at birth.
- **Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.
- **Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

Communication and Use of Names and Pronouns

An appropriate school employee will speak privately with transgender or gender-expansive students to ask how they would like to be addressed in class, in correspondence to the home, and during meetings with their parent, guardian, or caregiver. This information will be recorded in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. However, the student's legal name should be visible and accessible only to staff members whose job duties require access to such information. It should not be visible to teachers or other staff who have general access to the electronic records system.

When appropriate or necessary, designated staff will communicate this information directly with necessary staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender expansive students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees shall focus on the conduct or particular issues and shall not make assumptions regarding the student's actual or perceived gender identity or gender expression. Before communicating with parents, guardians, or caregivers of transgender or gender expansive students, staff should ask the student how school employees should refer to the student when talking with their parents, guardians, or caregivers. For families who are supportive, using the student's name and pronoun could be affirming for the student. For parents who are not supportive, or who are not aware of the student's transition at school, referring to their name and pronoun could be very dangerous. Summit will not condone the intentional or persistent refusal to respect a student's gender identity or gender expression, or inappropriate release of information regarding a student's transgender or gender-expansive status.

Official Records

The standardized high school transcript is the only official record that requires a student's legal name. School staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender-expansive status. Summit will change a student's official records to reflect a change in legal name upon receipt of:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
2. A written, signed statement explaining that the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

Schools may change a student's official gender designation upon parent or student request pursuant to the OSPI process outlined in the reporting guidance for the [Comprehensive Education Data and Research System](#) for the applicable school year. The process should not be

overly cumbersome. Summit will not require verification from a physician or other healthcare provider.

The School must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, directory information.

Confidential Health or Educational Information

Information about a student's gender identity, legal name, or assigned sex 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). Parents have the right under FERPA to request their student's records and if requested, Summit will provide the student's educational records to the parent according to the student records policies and procedures. To ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender-expansive status to others, including other school personnel, other students, or the parents of other students, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with their gender identity. Any student, regardless of gender identity, who requests greater privacy should be given access to an alternative restroom. However, schools may not require a student to use an alternative restroom because of their transgender or gender-expansive status.

Locker Room Accessibility

Use of locker rooms by transgender or gender-expansive students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender-expansive student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. Summit's approach will be guided by OSPI's recommendations and consistent with applicable State law. In most cases, Summit should provide the student access to the locker room that corresponds to the gender identity they assert at school. Reasonable alternatives to locker room conditions for any student who wants additional privacy include, but are not limited to:

- Use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- A separate changing schedule (i.e., utilizing the locker room before or after the other students).

The school will provide accommodations needed to allow the student to keep their transgender or gender-expansive status private. No student will be required to use a locker room that conflicts with such student's gender identity.

Sports and Physical Education Classes

Summit will provide all students including, but not limited to, transgender and gender-expansive students, the opportunity to participate in physical education and athletic programs and opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by working through the Gender Identity Participation procedure set forth by the Washington Interscholastic Activities Association (WIAA).

Dress Codes

Summit will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes, if any, will be gender-neutral and will not restrict a student's clothing choices on the basis of gender. Summit's approach will be guided by OSPI's recommendations and consistent with applicable State law.

Other School Activities

In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips, and overnight trips), students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

Summit will designate one person to be the primary contact regarding this policy and procedure relating to transgender or gender-expansive students. The primary contact must participate in at least one mandatory training opportunity offered by OSPI. When possible, Summit will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify, and respond to harassment and discrimination. The content of such 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 bullying and cyber-bullying; and
- Staff responsibilities under applicable laws and policies regarding harassment, discrimination, gender identity, and gender expression issues.

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within Summit. It is the responsibility of each school, Summit, and all staff to ensure that all students, including transgender and gender-expansive students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the person designated as the primary contact relating to transgender or gender expansive students. The primary contact will communicate with the 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 in the same manner as other discrimination and harassment complaints or as otherwise prescribed by state or federal law. 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 Complaint Procedures or as otherwise permitted by law.

Summit will share this policy and procedure with students, parents/guardians, employees, and volunteers.