

ADMINISTRATIVE PROCEDURES REGARDING POLICY JAA – ACCESS TO EQUAL EDUCATIONAL OPPORTUNITIES

District 211 is committed to providing and maintaining a safe and supportive learning environment for all students. The District promotes and expects all staff members to display acceptance and respect toward all students and fellow staff members. The purpose of these procedures is to support students with needs relating to gender identity. These procedures should be interpreted consistent with the goals of reducing stigmatization and ensuring equal opportunities for all students to access educational programs and activities.

When a student or a student’s parent/guardian informs school personnel that the student is transgender or gender nonconforming, a student support team member shall meet with the student or parents to review the student’s needs and the available supports and choices in the school building, on school property, at school-sponsored events, and on school buses or vehicles. These procedures do not anticipate every situation which might occur with respect to a student’s gender identity and the needs of each student will be determined on a case-by-case basis.

The Nondiscrimination Coordinator, with input from others as appropriate, will monitor and oversee the implementation of this procedure. School staff members will work with each student, and as appropriate, with the student’s parents(s)/guardian(s), to identify and facilitate a student’s accommodations and supports. The Board’s legal counsel will provide guidance surrounding any matters of legal compliance.

Definitions

The definitions provided here are not intended to label individuals but rather to assist in understanding this procedure and the legal obligations of District staff members. Individual students may or may not use these terms to describe themselves.

Sex assigned at birth and **assigned sex** refer to the gender designation listed on one’s original birth certificate.

Gender expression refers to external cues that one uses to represent or communicate one’s gender to others, such as clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

Gender identity refers to one’s internal sense of gender, which may be different from one’s assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the student’s core identity.

Transgender describes an individual whose gender identity is different from the individual’s assigned sex. “Transgender female” refers to an individual assigned the male sex at birth who has a female gender identity. An individual can express or assert a transgender gender identity in a variety of ways, which may but do not always include specific medical treatments or procedures. Medical treatments or procedures are not considered a prerequisite for one’s recognition as transgender.

Transgender student is a student who consistently and uniformly asserts a gender identity different from the student’s assigned sex, or for which there is documented legal or medical evidence that the gender identity is sincerely held as part of the student’s core identity.

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Cisgender describes a person whose gender identity aligns with the person’s sex assigned at birth.

Gender nonconforming describes an individual who does not follow stereotypical patterns about how a person traditionally looks or acts based on the sex assigned to the person at birth.

Gender fluid refers to a gender identity that varies over time. At different times, a gender fluid person may identify as male, as female, as gender neutral, or as some combination of identities.

Official School Record describes information maintained about each individual student in the District’s student information system including, but not limited to, name, birthdate, gender, parent/guardian names, address, and enrollment dates. Once a gender nonconforming student’s record is modified to be consistent with the student’s stated gender identity, this record becomes the official student record.

Sexual orientation describes a person’s enduring physical, romantic, and/or emotional attraction to another person. Common terms to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, and bisexual. Sexual orientation and gender identity are not the same.

Facilities refers to areas of the school used by students during the school day or while attending any school-sponsored activities and trips, and include, but are not limited to, restrooms, locker rooms, and overnight facilities.

Guiding Principles

School personnel shall recognize and support the gender identity that each student persistently and consistently asserts. There is no medical or mental health diagnosis or treatment threshold that students must meet in order to have their gender identity recognized, respected, and affirmed. The assertion may be evidenced by an expressed desire to be consistently recognized by their gender identity.

Student Enrollment

Upon enrollment in a District 211 school, per Board policy, the student’s parent will provide a valid copy of the student’s birth certificate to the school. The student’s legal name and gender, as displayed on the birth certificate, will be recorded in the District’s student information system. Each student is first assigned a physical education locker in the locker room that corresponds with gender indicated on the birth certificate. Upon notification by the parent and student that a student is gender nonconforming, the stated gender will become the gender in the official school record and a gender support plan will be created.

Privacy, Confidentiality, Names and School Records

The school district shall consider a request from a parent/guardian, or student age 18 or older, to change a transgender student’s name and gender on records prepared by the school district.

At the request of the parents/guardians, or student age 18 or older, school personnel shall address the transgender student by the name and pronoun that corresponds to the student’s gender identity.

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The transgender student's official school record will be prepared and maintained by the District to reflect the student's preferred name and gender, including special education documents (Individualized Education Plans, Evaluations Reports, Meeting Notices), Section 504 Plans, and Student Medical Action Plans. Past records will not be modified. The District will maintain a copy of the student's original birth certificate provided to the school district upon enrollment pursuant to the Illinois Missing Children Records Act (325 ILCS 55).

Protecting Student Privacy

Protecting student privacy is a top priority for all staff members, and all personally identifying information shall be kept strictly confidential, in accordance with federal, state, and local laws.

A transgender student's legal name and assigned sex will be kept private and confidential in accordance with applicable federal, state, and local laws such as the Family Educational Rights and Privacy Act (FERPA).

Students may openly discuss and express their gender identity, and decide when, with whom and how much information to share about their individual circumstances. School district personnel will work closely with the student and parent/guardian to devise an appropriate communication plan that protects student privacy.

Student Support Team

Students and parents/guardians seeking a Gender Support Plan are encouraged to initiate a conversation with a school administrator, school counselor, school social worker, or school psychologist.

Upon notification from a parent/guardian, or student age 18 or older, that the student is transgender or gender nonconforming and is asserting a gender identity different than the gender listed on the student's birth certificate, the school will convene a Student Support Team (SST) meeting to develop an individualized Gender Support Plan. The Gender Support Plan will identify supports to meet the student's needs, to help ensure the student's academic, social, and emotional success, and to articulate how the student's full and equal access to educational opportunities will be supported.

The SST will be composed of the parents/guardians, the student, a school administrator, the school counselor, and others who may be potential contributors, including the school nurse, teachers, a school social worker, a school psychologist, a private counselor or therapist, a private physician, or other individuals as deemed appropriate. A school administrator will facilitate the SST meeting.

The Gender Support Plan will be documented in writing and will include the names and roles of all individuals participating in the plan's development. The plan will clearly indicate each individual's responsibilities - including the student's responsibilities - regarding the implementation of the plan's components.

The Gender Support Plan will include a communication plan that determines how, and in what format, other staff members may be made aware of the student's gender identity. It is the decision of the student to decide if they want to make other individuals aware of their transgender identity

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beyond the school personnel who are required to know in order to support the student, and how that communication will occur.

The Gender Support Plan will include information about:

- Specific guidance and supports that will be given to teachers and other staff
- Acquiring a new school ID and photo, if necessary
- Updating all class rosters and related documents to the appropriate name and/or gender
- Updating all electronic system accounts and the school-issued email account to the appropriate name and gender, if necessary
- A timeline and process for communicating with identified staff members about supports and/or changes to the student's name and/or gender

The SST will review each student's Gender Support Plan's existing supports at least annually to understand the student's present status and needs, and to develop supports needed in the future. The student or the student's parent/guardian may request an SST meeting at any time. School personnel shall reconvene the SST if they question whether, or determine that, the existing supports are ineffective. The SST meeting may also serve to review and support a student's comfort and compliance with the agreed upon plan.

School staff members not involved in the creation of the Gender Support Plan will be informed of the support plan as needed to support the plan's implementation. All supports will be provided in a way that respects the student's ability to maintain confidentiality.

Access to Gender-Segregated Activities and Facilities

The Gender Support Plan will include a description of the restroom and locker room facilities the student will use while at school.

All transgender and gender nonconforming students shall be allowed to use restrooms, locker rooms, or changing facilities as articulated in the student's gender support plan and corresponding to the student's gender stated in the official school record. A gender fluid student's Gender Support Plan will describe individualized accommodations regarding facilities.

Any student desiring increased privacy, regardless of the underlying reason, shall be provided with reasonable access to another locker in the same locker room, a private changing space within the locker room, or an alternate restroom or locker room. Alternative facilities outside of the locker room may take the form of a private changing area, a nearby restroom stall, a unique changing schedule distinct from the time other students change clothing, or other reasonable options.

For wellness/physical education classes, transgender students may request access to the locker room that corresponds to the student's gender as reflected in the student's official school record. Wellness/physical education lockers will be assigned to transgender students in the same manner in which other students' lockers are assigned. For interscholastic and intramural team sports, a transgender student will have access to the locker room as described in the Gender Support Plan.

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Existing District 211 Practice:

A transgender student's access to the locker room will be contingent on the student's representation that the student will change clothes in a private station within the locker room.

Procedure That Would Apply If the Proposed Policy is Adopted:

No student shall be required to use a gender-segregated restroom or single-access restroom, a privacy station, or a gender-segregated locker room because of their gender identity. A transgender or gender nonconforming student will have equal access to gender-segregated locker rooms consistent with the supports articulated in a student's Gender Support Plan.

Wellness/Physical Education Classes, Intramural and Interscholastic Athletics

All students are permitted to participate in elective physical education/wellness courses and intramural sports consistent with their gender as reflected in the official school record. When conducting wellness or physical education classes and fitness evaluations, the teacher will address and evaluate each student based on their gender as listed in the official school record. Performance on the state fitness assessment (FitnessGram) is evaluated by the State of Illinois in accordance with the gender reported on the student's official record maintained by the District. The physical education teacher shall make every effort to maintain confidentiality of student information.

All students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity under the bylaws of the Illinois High School Association (IHSA). The school's athletic director will help gather relevant information and submit any information necessary to assist the final determination made by the IHSA surrounding the student's participation.

Dress Code

Students shall have the right to dress in accordance with their gender identity and expression, including maintaining a gender-neutral appearance within the constraints of the District's Student Appearance Policy (JFCA). School staff members will enforce the dress code consistently and equally when considering transgender and gender nonconforming students when compared to the application of the same policy to other students. Gender-neutral dress code guidelines apply to regular school days as well as to school-related events such as graduation ceremonies and prom.

Overnight Activities and Trips

Sleeping arrangements associated with school-related overnight activities and trips, shall be defined within the Gender Support Plan.

Existing District 211 Practice:

The Student Support Team will coordinate with the transgender student's family to identify peers who share the transgender student's same gender identity and whose parents would be agreeable to shared rooming arrangements for the overnight activity/trip.

Procedure That Would Apply if the Proposed Policy is Adopted:

The transgender or gender nonconforming student will be assigned overnight accommodations consistent with the student's gender as listed in the official school records and as may be articulated in the Gender Support Plan.

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The goal of these arrangements is to maximize the transgender student’s opportunity for social integration and participation, to ensure the student’s safety and comfort, and to minimize any potential stigmatization of the student.

Any student with a need for greater privacy during an overnight activity and/or trip, regardless of the underlying reason, will be offered a reasonable alternative, which may include a private room.

Gender-based Discrimination

Discrimination, bullying, and harassment on the basis of sex, sexual orientation, and gender identity or expression is prohibited within Township High School District 211. Students have the right to equitable learning opportunities at all times in District 211. Students shall not be required to take and/or be denied enrollment in a course on the basis of their gender identity in any educational and academic program. Students have the right to equitable access to extracurricular activities, clubs, and programs in District 211 and may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or any form of discrimination based on gender identity in any program or activity. In addition, students shall be treated and supported in a manner consistent with their gender identity.

Gender-based Bullying and/or Harassment

Illinois School Code prohibits bullying on the basis of actual or perceived sexual orientation, gender-related identity or expression, and/or association with a person or group with one of the aforementioned actual or perceived characteristics.

The Board Policy on Prevention of and Response to Student Bullying (JFCH) will be used to address and resolve equal access to educational opportunities, programs, activities, services, facilities, or benefits including extracurricular programs and activities.

Training and Professional Development

The District will conduct training for all employees regarding their responsibilities under applicable laws, policy, and this procedure. The content of this professional development shall include, but is not limited to:

- Terms, concepts, and current developmental understandings of gender identity, gender expression, and gender diversity in children and adolescents
- Developmentally appropriate strategies for communication with students and parents about issues related to gender identity and gender expression that protect student privacy
- Developmentally appropriate strategies for preventing and intervening in bullying incidents, including cyberbullying
- Classroom management practices, curriculum, and resources that educators can integrate into their classrooms to help foster gender-inclusivity for all students
- Board policies and administrative procedures regarding bullying, harassment, discrimination, and suicide prevention
- Access to resources regarding working with transgender and gender nonconforming students

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Information to build awareness of transgender and gender nonconforming students in schools and this procedure shall be incorporated into the onboarding process that new employees complete through the Human Resources department when joining the District.

Communication with the School Community

The District shall inform members of the school community concerning the District's support of transgender and gender nonconforming students along with implications for school procedures and practices. Staff members should forward all inquiries from media, reporters, journalism students, or the general public about issues related to gender identity to the District's Community Relations office.