

PROPOSED POLICY – EQUAL EDUCATIONAL OPPORTUNITIES

Statement from Dan Cates, Superintendent

Township High School District 211

October 10, 2019 Special Board of Education Meeting

at G.A. McElroy Administration Center

At our Board of Education meeting held on September 19, 2019, the policy committee and the administration presented the proposed Equal Educational Opportunities policy to the Board for its first review. Policies require at least two reviews before adoption. We listened to 25 randomly selected people with passion on both sides of this policy. During its discussion, some Board members expressed that they wanted to better understand the procedures that we apply in our current practices and to reconcile those with the procedures we would apply according to the proposed policy to ensure both equal access to and protected rights for ALL students.

We have long recognized transgender identity, and we have provided supports to transgender students through consistent practices. When requested by the family, we have changed a student's name and gender in the student's official school record. In accordance with IHSA regulations, we have supported participation of gender non-conforming students on the sports teams of a student's stated gender. And, for years, we have authorized a student's use of the restroom that conforms to the student's stated gender identity.

Four years ago, the District reached an agreement with the federal Office for Civil Rights to support a transgender student's access to the locker room of the student's stated gender identity. The Board's consideration drew large crowds of interested citizens. After many long hours of discussion and debate, the Board voted to support access to the locker room of a transgender student's stated gender identity with the agreement that the transgender student would change clothes in one of several privacy areas in the locker room. The privacy areas in our locker rooms are available to any student. Importantly, the District's past decisions to open access to restrooms and locker rooms for use by gender non-conforming students has caused NO issues among our students for the many years.

Because granting access to locker rooms based on a student's stated gender identity was not explicitly articulated in existing laws four years ago, our Board weighed input from countless citizens and sources before ultimately determining our balanced practice, carefully articulated to balance the interests of ALL students. Throughout the past four years, our balanced practices have withstood challenges in Federal Court from those who have claimed we should provide no access to our restrooms or locker rooms. Similarly, our practice prevailed over a request for a preliminary injunction filed with the Illinois Department of Human Rights and appealed in State Court.

The key, defining feature of our balanced practice has been the requirement that a transgender student use the private changing area in the locker room, if they wish to use the locker room.

A lot can change in four years. Boards of Education change every two years, and our Board has changed two times since our practice was first adopted.

Our current Board of Education now considers our new proposed policy in light of all the following:

- One, our own direct experience provides clear guidance that providing locker room access based on gender identity has not resulted in any disruption in our locker rooms

- Two, other school districts that allow locker-room access without any limitation as to where transgender students may change clothes have successfully implemented such policies without disruption and in a manner that protects the interests of all students
- Three, as our nation and our immediate communities become more informed about and accepting of gender non-conforming students, we want to ensure equal access without restriction

Our Board members are members of our community. Given that they sought understanding about our procedures, we can presume that others seek the same understanding. Like most matters, greater levels of acceptance begin with understanding. To inform everyone as to our practices, we have publicly shared our procedures and prepared a Frequently Asked Questions document to address various questions and inaccurate perceptions that persist surrounding gender non-conforming students.

Briefly, I will address our essential guiding principles. Transgender students are those who consistently assert a gender identity different from their sex assigned at birth. Upon a request from the student's parent or guardian, the student's stated gender in the official school record establishes the student's gender for consideration of access to gender-specific facilities. Access to gender-specific facilities by transgender students may take place as articulated in a Gender Support Plan developed in partnership between the family and school personnel, including an administrator. Students who desire to assert a gender identity different than the student's sex assigned at birth must make a formal request with their parent or guardian to make the necessary change in school records. Then the student, their parents, and the school will work collaboratively to develop a Gender Support Plan that addresses the individualized support of the student in a manner that is consistent with the rights and needs of other students and the larger school community, including restroom and locker room access.

District 211 respects and honors all individuals. Our staff members, our administration, and most importantly, our students, stand ready with understanding and support to adopt this policy.

Policies in District 211 require two reviews by the Board of Education before adoption. The proposed policy that is the focus of tonight's meeting will not be voted upon by the Board of Education at our regularly scheduled Board of Education meeting on October 17. Because Board members wanted to understand our procedures better before voting at our next scheduled Board meeting only one week from tonight's discussion, the earliest that the Board would vote on the proposed Equal Educational Opportunities policy will be our Board of Education meeting scheduled for Thursday, November 14.

Thank you for the many messages we have received and for your thoughtful and respectful comments this evening in support of this District and all our students.