

## Gender Inclusive Schools Policy



Summit Public Schools (“Summit”) is committed to creating an inclusive 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 in order to create a safe learning environment for all students, and to ensure that every student has equal access to all components of their educational program. For additional information regarding Summit Public School’s policies prohibiting discrimination, see Summit’s Non-Discrimination Statement, Title IX Compliance Statement, and Policy Against Discrimination Based on Sex located on the [Policies](#) and [Student and Family Resources](#) webpages.

### **Names and Pronouns**

If a student so chooses, Summit personnel shall be required to address the student by the student’s requested name and the pronouns consistent with the student’s gender identity, without the necessity of legal documentation or a change to the student’s official record. Summit believes that using a student’s requested name and pronouns fosters a safe, supportive and inclusive learning environment.

At the beginning of the school year, it is strongly suggested that teachers develop an understanding of how students want to be addressed in class, in correspondence to the home, and at conferences with the student’s parents. Teachers should understand that conversations regarding preferred names and pronouns must be conducted in alignment with Summit’s practices regarding privacy and confidentiality.

To ensure that all students, including transgender and gender non-conforming students, have equal access to the programs and activities provided by the school, all members of the school community must use the student’s requested name and pronouns. Schools should also implement safeguards to reduce the possibility of inadvertent slips or mistakes, particularly among temporary personnel such as substitute teachers. However, inadvertent slips or honest mistakes in the use of the student’s name and/or consistent pronouns shall not constitute a violation of this Policy.

**Students can submit a request a change their name or gender marker using this form, which is available through the [Student and Family Resources](#) webpage.**

### **Preventing Harassment and Discrimination**

If a member of the school community intentionally uses a student’s incorrect name and pronouns despite knowledge of preferred name and pronoun and/or persistently refuses to respect a student’s chosen name and pronouns, that conduct should be evaluated by the school

as harassment. Harassment can create a hostile learning environment, violate the student's privacy rights, and increase that student's risk for harassment by other members of the school community.

Revealing a student's gender identity or expression to others without the consent of the student may compromise the student's safety. Thus, preserving a student's privacy is of the utmost importance. The right of transgender and gender non-conforming students to control disclosure of their legal and requested name or a pronoun (e.g., he/him, she/her, they/them, etc.), and gender designation is grounded in federal and state civil rights laws, which prohibit discrimination and discriminatory harassment. For additional information regarding prohibited conduct, see "Prohibited Conduct" below.

### **Official and Unofficial Records**

Summit is required to maintain a mandatory permanent student record, which includes the name and sex of the student designated on the legal documents provided at enrollment (e.g. birth certificate). If and when a Summit school receives documentation that such legal name or gender has been changed, school personnel are directed to promptly update the student's official record accordingly.

Summit recommends that each school update unofficial school records to reflect the student's name and gender marker that is consistent with the student's gender identity even if the student is not able to provide documentation supporting a legal name or gender change in a timely manner. School personnel should update unofficial records where possible to, among other things, avoid unintentionally revealing the student's transgender and/or gender non-conforming status to others.

**To update unofficial school records, please follow the guidance in the [Task Card: Change a Student's Name or Gender in Systems.](#)**

### **Restroom Accessibility**

Students shall have access to the restroom that corresponds to their gender identity asserted at school. Where available, a single stall bathroom may be used by any student who desires increased privacy, regardless of the underlying reason. The use of such a single stall bathroom shall be a matter of choice for a student, and no student shall be compelled to use such bathroom.

### **Physical Education; Locker Room Accessibility**

Students shall have access to the locker room that corresponds to their gender identity asserted at school. In locker rooms that involve undressing in front of others, students who want to use the locker room corresponding to their gender identity asserted at school will be provided with the available accommodation that best meets the needs and privacy concerns of all students involved.

Based on availability and appropriateness to address privacy concerns, such accommodations could include, but are not limited to:

- Use of a private area in the public area (e.g. a bathroom stall with a door, an area separated by a curtain, a PE instructor's office in the locker room);
- A separate changing schedule (either utilizing the locker room before or after the other students); or
- Use of a nearby private area (e.g., a nearby restroom, a nurse's office).

However, Summit will not require a student to utilize these options because the student identifies as transgender or gender-nonconforming.

Transgender and gender non-conforming students shall not be denied the opportunity to participate in physical education, nor shall they be forced to have physical education outside of the assigned class time. Generally, students should be permitted to participate in gender-segregated recreational gym class activities and sports in accordance with the student's gender identity that is asserted at school.

### **Dress Codes**

Students shall have the right to dress in accordance with their gender identity that is asserted at school, within the constraints of the dress codes adopted at their school site.

### **Gender Segregation in Other Areas**

As a general rule, in any other circumstances where students are separated by gender in school activities (e.g., class discussions, field trips), students shall be permitted to participate in accordance with their gender identity asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case by case basis. In such circumstances, staff shall make a reasonable effort to provide an available accommodation that can address any such concerns.

### **Definitions**

Any terms or definitions provided in these materials are provided to facilitate the process of providing safe and nondiscriminatory learning environments and are not provided for the purpose of labeling any students.

### **Prohibited Conduct**

Examples of types of conduct that are prohibited in the Summit schools and which may constitute harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity.
2. Disciplining or disparaging a student or excluding the student from participating in activities for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable.
3. Blocking a student's entry to the bathroom that corresponds to their gender identity

4. Taunting a student because the student participates in an athletic activity which historically has greater participation from a student of the other sex.
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent.
6. Use of gender-specific slurs.
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression.

**Summit Public Schools' Uniform Complaint Procedures shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.**