

TRANSGENDER STUDENTS

It is the policy of the Board of Education to maintain an educational environment that supports the inclusion, safety, and privacy of all students, including those students having a gender identity or gender expression that differs from societal expectations based on sex assigned at birth.

Definitions

“Transgender”-Having a gender identity or gender expression that differs from societal expectations based on gender assigned at birth.

“Gender identity”-A deeply held and sincere sense or psychological knowledge of one’s own gender. A student may have a different gender identity than the gender assigned at birth.

“Gender nonconforming”-Describes people whose gender expression differs from stereotypical or prevailing social expectations, such as “feminine” boys or “masculine” girls, or those who are perceived as androgynous.

“Gender expression”-the manner in which a student represents or expresses their gender. This includes, but is not necessarily limited to, external appearance, characteristics, or behaviors typically associated with a specific gender.

Confidentiality

A student’s transgender status, legal name, gender assigned at birth, and/or related medical information will be kept confidential in compliance with applicable state, local, and federal privacy laws. District administration and staff shall not disclose any information that may reveal a student’s transgender status to others unless legally required, or unless the student or the student’s parent or guardian has authorized the disclosure.

Official Records

The District shall comply with all legal requirements to use a student’s legal name and/or gender on official District records or documents. To the extent that a document is not required to use a student’s legal name and/or gender on a document, the District will use the name and gender preferred by the student that reflects the student’s gender identity.

Restroom Use

All students, including transgender students, are allowed to use restrooms that correspond with the student’s gender identity. District schools are encouraged to provide one or more easily accessible unisex single-stall bathroom(s) for use by any student desiring privacy, regardless of the reason. No student will be compelled to use a unisex bathroom due to harassment or any other reason.

Names and Pronouns

Transgender students will be addressed by the name and pronoun corresponding to the student’s gender identity, in accordance with the student’s request, regardless of whether the student has obtained a court ordered name or gender change.

Harassment and Bullying

Discrimination, bullying, and harassment on the basis of gender identity or expression is prohibited in the District. Any form of harassment will be addressed pursuant to the District's existing policies.

Locker Room

Transgender students who wish to use the locker room corresponding to their gender identity will be provided an accommodation that best meets the needs of the transgender student and other District students. Such accommodations will be determined on a student-by-student basis by: the student's school principal; at least one pupil services provider; upon written request another trusted adult identified by the student (e.g., staff member, friend, spiritual leader, etc.); the student, and upon written request by the student, the student's parent(s)/guardian(s).

Accommodations could include any of the following: 1) use of a private area within the public locker room (a bathroom stall with a door, an area separated by a curtain, a PE instructor's office in the locker room); 2) a separate changing schedule in a private area (either utilizing the locker room before or after other students); 3) use of an alternative private area (a referee locker room, a nearby restroom, a nurse's office); 4) access to the locker room corresponding to the student's sex assigned at birth; or 5) access to the locker room corresponding to the student's gender identity. A transgender student shall not be required to use the locker room corresponding to the student's sex assigned at birth.

Participation in Gender-Based Activities

All students will be permitted to participate in physical education classes, intramural sports, and other gender-based District activities in a manner consistent with their gender identity.

Intermural Athletics

When considering the participation and eligibility of transgender students in Wisconsin Interscholastic Athletic Association (WIAA) sponsored athletics or other intermural athletics, the following goals must be balanced: 1) equity (providing equal opportunities in all aspects of school programming is a core value of education); 2) physical safety (biological males or androgen-supplemented biological females are typically stronger and faster than biological females); and 3) competitive equity (since the idea of a "level playing field" is an inherent expectation at all levels of sport competition.)

Therefore, transgender athlete participation and eligibility in WIAA and other intermural athletics must be determined using the following procedure:

1. A student and parent/guardian must:
 - a. Notify the District Administrator in writing that the student is a transgender individual wishing to participate in intermural athletics with a gender identity different than the sex indicated on the student's birth certificate; and
 - b. List the WIAA or other intermural sport(s) in which the student would like to participate.
2. The following information and criteria may be considered to determine which category of District sports team (girls/boys) the student will participate:

- a. Current school registration information;
 - b. A written statement from the student and parent(s)/guardian(s) affirming the consistent gender identity and expression to which the student self-relates;
 - c. Documentation from individuals such as, but not limited to, parents, friends, and/or teachers, affirming the actions, attitudes, dress and manner of the student that demonstrate the student's consistent gender identification and expression;
 - d. Written verification from an appropriate health-care professional (physician, psychologist) of the student's consistent gender identification and expression;
 - e. Medical documentation (hormonal therapy, sexual re-assignment surgery, counseling, etc.);
 - i. A transgender student who was born with a female body but who identifies as a boy or man (FTM student) who has started hormone therapy (example: testosterone) will only be eligible for male teams. Hormone supplementation is allowable in this situation consistent with WIAA policy. Note that a FTM student who has not started hormone therapy may participate on female teams if desired by the student, as there would be no concern about safety or competitive equity without biological interventions having been implemented.
 - ii. A transgender student who was born with a male body but who identifies as a girl or woman (MTF student) must have one calendar year of medically documented testosterone suppression therapy to be eligible to participate on a female team, consistent with WIAA policy. Note that a MTF student who has not started suppression therapy may participate on male teams if desired by the student, as there would be no concern about safety or competitive equity without biological interventions having been implemented.
 - iii. Hormone supplementation/suppression therapy under the supervision of a licensed physician when taken as prescribed does not violate WIAA Performance Enhancing Supplement policy.
3. Based on the submitted information described above, the District Administrator shall provide a written decision to the student and the student's parent(s)/guardian(s) as to eligibility to participate in the relevant sport(s).
 4. If the District denies participation and eligibility as a transgender student athlete, the student's eligibility remains with the District's teams as determined by birth gender.
 5. If denied participation as a transgender student athlete, the student and/or parent(s)/guardian(s) may submit an appeal in writing to the Director of Pupil Services or District Administrator within thirty (30) calendar days of the decision. Upon receipt of an appeal, the District Administrator or Director of Pupil Services will convene an appeals panel within five (5) business days. The panel will consist of at least three individuals knowledgeable of the student and/or gender dysphoria, including the Director of Pupil

Services, a pupil services provider, physician or psychologist, and a member of administration within the District other than the District Administrator. The student and the parent(s)/guardian(s) will be provided the opportunity to address the appeals panel. All documentation submitted on behalf of the student and documents used in the initial decision-making process will be available for review by the appeals panel. The appeals panel must send a written decision to the student and the parent(s)/guardian(s) (and the WIAA if applicable) within three (3) business days.

Dress Code

All District employees shall respect the gender expression of all students and must respect the right of a student to dress in accordance with the student's gender identity. Any applicable District dress code shall be applied on a gender-neutral basis and will not be selectively or more strictly enforced against transgender students.

Education

It is the expectation of the Board of Education that District teachers, pupil service personnel, coaches, and administrators are educated regarding transgender sensitivity.

It is the desire of the Board of Education to provide opportunities for parents, students and community members to be educated regarding transgender sensitivity.

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