

Series 5000: Students, Curriculum, and Academic Matters

5100 Student Rights

5106 *Transgender Students*

The Board recognizes that transgender students, nationally and in Michigan, are targeted with physical violence and experience a hostile school environment more frequently than their peers. A supportive environment that acknowledges and affirms a student's gender identity is a protective factor that improves health and educational outcomes.

The Board supports protecting the rights of all students to self-identify and use the name, pronouns, and facilities that correspond with their gender identity. The Board prohibits unlawful discrimination, bullying, and harassment on the basis of sex, which includes sexual orientation and gender identity or expression, or gender-based stereotypes.

A. Unlawful Discrimination, Harassment, and Bullying

If a District employee receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice that a student has experienced discrimination, harassment, or bullying in violation of this Policy, the staff member must promptly report the alleged misconduct pursuant to the District's unlawful discrimination and harassment policies.

If a student receives a verbal, written, or electronic report of, witnesses, or otherwise directly or indirectly has notice there has been an incident of discrimination, harassment, or bullying in violation of this Policy, the student is encouraged to promptly report such incident pursuant to the District's unlawful discrimination and harassment policies.

Complaints alleging unlawful discrimination, harassment, or bullying in violation of this Policy must be handled pursuant to the District's unlawful discrimination and harassment policies.

B. Initial Notification

The person best suited to determine a student's gender identity is the individual student. A student will not be required to present legal or medical documentation of a gender transition when the student notifies the District of the student's gender identity, preferred name, or preferred gender pronouns.

Once a student or the student's Parent/guardian notifies the District of the student's gender identity, the District will meet with the student and the student's Parents, as appropriate, to discuss whether the student requires any accommodations or supports at school and how any needed supports will be communicated to staff and students. The District will ensure that all staff engage in reasonable and good faith efforts to address the student by the student's preferred name and preferred gender pronouns.

The nature and type of supports the student may need at school may vary depending on the student's age, grade level, abilities, family situation, and other factors. Any determination made about accommodations and supports for the student at school will take into account the student's preferences, the Parent(s)'s preferences, as appropriate, input from staff, applicable legal standards, and the most recent guidance from the U.S. Department of Education and the Michigan State Board of Education.

A student may not have informed Parent/guardians of the student's gender identity. In that situation, disclosure to a student's Parent/guardians should be carefully considered on a case-by-case basis. Administrators should involve the school counselor or social worker and consider the health, safety, and well-being of the student, as well as the school's responsibility to keep Parents informed, before making any disclosure.

C. Student Records

Upon request, if a student's gender identity requires changes to student records, the District will make the appropriate changes, regardless of whether the student has "transitioned", sought a legal name change, or taken other legal or medical action. This includes, but is not limited to, updating the District's information systems, email addresses, class rosters, transcripts, and diplomas.

The District will comply with reasonable requests to amend a former student's secondary educational records, including diplomas and transcripts, after graduation, to ensure that those requesting records (e.g., college admissions office or potential employers) will only see the name and gender marker corresponding to the student's stated gender identity.

D. Student Privacy

A student's birth name and sex assigned at birth, or the fact that those differ from the student's preferred name and preferred gender pronouns is confidential information that constitutes personally identifiable information under the Family Educational Rights and Privacy Act. The District will ensure that any information relating to a student's gender identity or gender expression is kept confidential in accordance with applicable state, local, and federal privacy laws.

E. Restroom and Locker Room Access

Student requests to use facilities like restrooms and locker rooms consistent with a student's gender identity will be addressed by the District on a case-by-case basis consistent with state and federal law and guidance.

Alternative and non-stigmatizing options, like gender-neutral or single-user restrooms will be made available to all students who request them.

F. Staff Training

The District will incorporate training on this Policy into the District's training on responding to and investigating unlawful discrimination and harassment. The Superintendent or designee will ensure that District personnel are notified of mandatory training sessions.

Legal authority: MCL 37.2102, 37.2402; MCL 380.1310b; 20 USC 1232g; 20 USC 1681 et seq.; 20 USC 7151; 34 CFR 106.1 et seq.

Date adopted: September 13, 2021

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