Privileged and Confidential Attorney Work Product

Working Document

Guidance for Administrators: Ensuring Equal Opportunity and Freedom from Harassment for Transgender and Gender Non-conforming Students

The purpose of this guidance is to assist administrators in the provision of a safe, secure, and respectful educational environment for all Clark County School District students. Please review this guidance in preparation for situations that may occur involving transgender and gender non-conforming students. If more information or support is desired please contact BLANK.

Topic Guidance

Safety & Bullying

Transgender and gender non-conforming students are disproportionately targeted for teasing, bullying, harassment, and physical violence.

Confront and report bullying and name calling consistently. This includes name calling and bullying based on gender stereotypes, gender identity and gender expression. *See* CCSD Policy P-5137.

Names and Pronouns:

Frequently, transgender and gender non-conforming people are not addressed by pronouns or names consistent with their gender identity. Having one's gender identity recognized and validated is important.

Refer to all students by their preferred name and gender pronouns whenever possible. Have conversations regarding preferences with the student in private.

Restrooms and Locker Rooms

Transgender and gender non-conforming people often struggle to find restroom facilities that are safe and that correspond with their gender identity. Having safe and respectful access to restroom facilities is important to the health and well-being of transgender and gender nonconforming people.

Students shall have access to the restroom that corresponds to the gender identity of their sincerely held belief that is asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom and changing area, but no student shall be required to use such a restroom or changing area.

Privacy

All students have a right to keep their transgender status private at school. Information about a student's transgender status, legal name, or gender assigned at birth may constitute confidential medical information. Disclosing this information to other students, their parents or other third parties may violate privacy laws and policies.

Students have a right to keep their personal information private. Staff members should not disclose information about a student's gender identity or gender expression to others. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly. The fact that a student chooses to disclose his or her transgender status to others does not authorize school staff to disclose information. See CCSD Regulation R-5125.1.

Gender-Based Activities/Clubs and Extracurricular Activities/Physical Education and Athletics:

Transgender and gender non-conforming students may find it difficult to participate in gender-based and extracurricular activities. There may also be barriers of access and comfort for transgender and gender non-conforming youth regarding physical education and interscholastic athletics.

Avoid using gender as a characteristic for divisions whenever possible. In circumstances where gender is used, students should be permitted to participate with the group that corresponds with their gender identity. Students shall also be permitted to participate in intramural sports and club activities in a manner consistent with their gender identity. Student participation in interscholastic athletics shall be governed by the NIAA Transgender Identity Participation Position Statement (Jan. 2014).

Druft