Sejong Academy
Transgender and Non-conforming Students Policy

I. GENERAL STATEMENT OF PURPOSE

The purpose of this policy is to ensure safety, equity, and justice for all students regardless of gender identity or gender expression so that they can reach their fullest human and intellectual potential. This policy is intended to facilitate compliance with federal, state, and local laws and recommendations concerning harassment and discrimination.

Title IX of the Education Amendments of 1972 ("Title IX") specifically prohibits discrimination on the basis of sex in federally-funded education programs and activities. The United States Department of Education's Office for Civil Rights has issued guidance recognizing that Title IX protects transgender students against discrimination based on their gender identity. Additionally, the U.S. Departments of Education and Justice have stated that under Title IX, "discrimination based on a person’s gender identity, a person’s transgender status, or a person’s nonconformity to sex stereotypes constitutes discrimination based on sex" and asserted a significant interest in ensuring that all students, including transgender students, have the opportunity to learn in an environment free of sex discrimination in public schools.

On February 23, 2017 Minnesota Governor Mark Dayton and Lieutenant Governor Tina Smith issued a statement on protections for transgender students. In it they noted the “applicability of Minnesota’s statutes and protections provided under the state’s Human Rights Act and the Safe and Supportive Schools Act [...] for ensuring that transgender students are provided with safe environments in which to learn, and not harassed.”

This policy covers conduct that takes place in the school, on school property, and at school-sponsored functions. This policy also pertains to usage of electronic technology and electronic communication that occurs in the school, on school property, at school-sponsored activities, and on school computers and mailing lists.

II. DEFINITIONS

- **Sex assigned at birth** is the classification, either male or female, that a doctor assigns to an individual upon birth.
- **Gender identity** is a person’s deeply held sense or psychological knowledge of their own gender, regardless of the sex they were assigned at birth. Individuals determine their own gender identity and gender identity may change over time.
- **Cisgender** describes people whose gender identity is consistent with their sex assigned at birth.
- **Transgender** describes people whose gender identity is different from their sex assigned at birth.
- **Gender expression** refers to the way a person expresses gender to others through behavior, clothing, hairstyles, activities, voice or mannerisms.
- **Gender nonconforming**, **gender variant**, and **gender queer** describe people whose gender expression and/or gender identity falls outside the traditional male-female binary.
- Gender-neutral pronouns, such as they/them/their (singular), are used by some transgender and gender non-conforming people.
- Social transition refers to a change in any combination of the following: name, pronouns, gender identity, or gender expression. Social transition does not necessarily involve any legal name change or medical intervention and does not need to be certified by a doctor or therapist.
- Medical transition refers to the use of puberty blockers, hormones, or surgery by a transgender or gender non-conforming person, designed to align their physical sex characteristics with their gender identity.
- Questioning is the process of self-exploration and self-discovery about one’s gender identity, often involving unlearning one’s assigned gender and learning a new one. There is no timetable for this process.

III. PROCESS AND POLICY

Names/Pronouns/Gender-neutral Language
A student has the right to be addressed by a name and pronoun that corresponds to the student’s gender identity. The name and pronouns with which the student identifies shall be used in all interactions between them and school staff and students as well as on written records including class rosters, report cards, and letters from the school. A court-ordered name or gender change is not required, nor is evidence of therapy or medical transition. The intentional or persistent refusal to respect a student’s gender identity (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student’s gender identity) is a violation of this policy.

Privacy/Confidentiality
All persons, including students, have a right to privacy, and this includes the right to keep one’s transgender identity private at school. Information about a student’s transgender identity, legal name, or sex assigned at birth also may constitute confidential medical information. School personnel should not disclose information that may reveal a student’s transgender identity or gender nonconformity to others, including parents and other school personnel, unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

Gender-Segregated Activities
In situations where students are segregated by gender, students will be included in the group that corresponds to their gender identity. Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

Restroom Access
Students shall have access to the restroom that corresponds to their gender identity. 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, but no student shall be required to use such a restroom.

Physical Education Classes and Sports Teams
Transgender and gender nonconforming students shall be permitted to participate in physical education classes and sports teams in a manner consistent with their gender identity.

**Dress Codes**
Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression. Sejong’s dress codes does not restrict students’ clothing or appearance on the basis of gender.

**Discrimination/Harassment**
It is the responsibility of the school to ensure that transgender and gender nonconforming students have a safe school environment. This policy includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person’s actual or perceived transgender identity or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

**Parent/Guardian Involvement**
For younger students, parents or guardians will typically notify the school and ask that the school start treating the student in a manner consistent with the student’s gender identity. Parents/guardians may play less of a role in an older student’s transition. As such, Sejong will encourage students to communicate with parents/guardians if they haven’t already done so, and, if needed, will schedule a meeting to develop a plan and share resources to address the student’s particular circumstances and needs. Sejong staff will consult with the student before reaching out to the parent/guardian.

Situations will be addressed on a case-by-case basis and Sejong Academy will attempt to balance the goal of supporting the student with keeping parents informed about their children. The paramount consideration in such situations should be the health and safety of the student, while also making sure that the student’s gender identity is affirmed in a manner that maintains privacy and confidentiality.

IV. RESPONSIBILITY FOR ENFORCEMENT OF POLICY
The Executive Director shall have the responsibility of ensuring compliance with this policy.

HISTORY
Approved & Adopted 5/30/2017