



**Policy Title: Transgender and Students Nonconforming
to Gender Role Stereotypes
Code 504.13**

The Iowa Civil Rights Act ([Iowa Code Section 216.9](#)) and Title IX protect transgender students from sex and/or gender discrimination and clearly delineates that protection from unfair practices and discriminatory acts in education, including gender identity.

The Linn-Mar Community School District is committed to serving the educational needs of the community and underscores its commitment by supporting all students in a safe learning environment. This policy relates to students who are transgender and students who do not conform to gender role stereotypes. In order to maintain a safe learning environment for all students, we must first ensure equal access to all components of the educational system.

While the administrative procedures established in Policy 504.13-R (Administrative Regulations Regarding Transgender and Students Nonconforming to Gender Role Stereotypes) provide important direction to employees, students, families, and other persons; they do not anticipate every situation that might occur with respect to students who are transgender or gender nonconforming. When an issue or concern arises that is not adequately addressed by these administrative procedures, district administration will consider and assess the needs and concerns of each student on an individual bases in consultation with parents, when appropriate.

This policy and Policy 504.13-R apply to all school activities, school-provided transportation, and school-sponsored events regardless of where they occur.

It is the responsibility of the superintendent [or designee] to develop regulations regarding this policy.

Adopted:

Related Policy (Code#): 103.1; 104.1; 104.3; 504.13-R

Legal Reference (Code of Iowa): 216.9



Policy Title: Administrative Regulations Regarding Transgender and Students Nonconforming to Gender Role Stereotypes
Code: 504.13-R

Transgender Procedures and Safeguards

The *Iowa Civil Rights Act* ([Iowa Code Section 216.9](#)) and Title IX protect transgender students from sex and/or gender discrimination and clearly delineate that protection from unfair practices and discriminatory acts in education, including gender identity.

These administrative regulations set forth the district's protocols that will be utilized to expeditiously address the needs of transgender students, gender-expansive students, nonbinary, gender nonconforming students, and students questioning their gender to ensure a safe, affirming, and healthy school environment where every student can learn effectively.

These administrative regulations apply to all school activities, school-provided transportation, and school-sponsored events regardless of where they occur.

Establishment of Gender Supports

Communication with the student and/or parent/guardian is key. Schools should make a case-by-case determination about appropriate arrangements for transgender students regarding names/pronouns, restroom and locker facilities, overnight accommodations on school trips, and participation in activities. These arrangements should be based on the student's or family's wishes, be minimally burdensome, and be appropriate under the circumstances.

Any student in seventh grade or older will have priority of their support plan over their parent/guardian. All supports can be documented in a Gender Support Plan.

Any student, regardless of how they identify, may request to meet with a school administrator and/or school counselor to receive support from the school and implement a Gender Support Plan. When a student and/or parent/guardian contacts school staff about support at school, the school will hold a meeting with the student within 10 school days of being notified about the request for support. The student should agree with who is a part of the meeting, including whether their parent/guardian will participate.

The Gender Support Plan will be maintained in the student's temporary records, not the student's permanent records. The Linn-Mar Community School District is committed to supporting all transgender students, gender nonconforming students, and students who are questioning their gender. A Gender Support Plan is not required for a student to receive supports at school. In instances where there is not a Gender Support Plan, school administrators and/or school counselors shall work with the student to identify and coordinate support. Support available through a Gender Support Plan, or otherwise, can include steps appropriate to also support siblings and family members of transgender students, gender nonconforming students, and students who are questioning their gender. Supports being provided for transgender, gender nonconforming students, and students who are questioning their gender will be reviewed on an annual basis or sooner, as necessary.

Confidentiality

All persons, including students, have a right to privacy which includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name, or gender assigned at birth may also constitute ~~confidential medical information~~ personally identifiable information contained in a student's education records under the Family Educational Rights and Privacy Act. Disclosing this information ~~is~~

~~other students, their parent/guardian, or other third parties may violate privacy laws such as the federal Family Educational Rights and Privacy Act (FERPA)~~ other than as allowed by law is not permitted. Conversations between students and school counselors are protected, confidential conversations under applicable counselor/student laws. The district shall ensure that all ~~medical~~ information relating to ~~transgender and gender nonconforming students~~ student gender identity contained in student education records will be kept confidential in accordance with applicable state, local, and federal privacy laws. The district shall not disclose information that may reveal a student's transgender status to others including but not limited to ~~parents/guardians and other~~ other students, parents, and school staff unless legally required to do so (such as national standardized testing, drivers permits, transcripts, etc.), or 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. The fact that a student chooses to disclose their transgender status to school staff or other students does not authorize them to share other medical information about the student. School staff should always check with the student first before contacting their parent/guardian. School staff should ask the student what name and pronouns they would like school officials to use in communications with their family. All students under 18 years of age, or those over 18 years of age who are claimed as dependents by their parents/guardians for tax purposes, should be aware that a parent/guardian has the right to review their student's ~~official~~ education records under FERPA.

Names and Pronouns

Every student has the right to be addressed by a name and pronoun that corresponds to their gender identity. A court-ordered name or gender change is not required, and the student need not change official school records.

At the beginning of each semester, teachers may ask all students how they want to be addressed in class and in communications with their parent/guardian. Within 10 school days of receiving a request from a student, regardless of age, or a parent/guardian (with the student's consent), the district shall change a student's name and/or gender marker in student technology logins, email systems, student identification cards, non-legal documents such as diplomas and awards, yearbooks, and at events such as graduation. A student may make this request via their Gender Support Plan, if the student has requested one.

In situations wherein the district is required by law to use or to report a student's legal name and/or gender marker, such as for purposes of standardized testing, the building secretaries will keep a record of the student's legal names and this document will be kept in a locked file for their access only. When a student transitions from one school to another, the recording form will be shared from building secretary-to-building secretary. A student's Gender Support Plan will be shared either administrator-to-administrator or school counselor-to-school counselor; depending on the student's preference.

An intentional and/or persistent refusal by staff or students to respect a student's gender identity is a violation of school board policies [103.1 Anti-Bullying and Anti-Harassment](#), [104.1 Equal Educational Opportunity](#), and [104.3 Prohibition of Discrimination and/or Harassment based on Sex Per Title IX](#).

Restrooms and Locker Rooms

With respect to restrooms, locker rooms, and/or changing facilities; students shall have access to facilities that correspond to their gender identity. Buildings may maintain separate restrooms, locker rooms, or changing facilities for male and female students provided they allow students to access them based on their gender identity. No student shall be required to use an all-gender or secure-access restroom, a nurse's restroom, a privacy partition/curtain, and/or an all-gender locker room because they are transgender, gender nonconforming, or questioning their gender. Access to restrooms and locker rooms for nonbinary students and students questioning their gender will be determined on a case-by-case basis while providing students with options that allow for them to feel safest and most included.

Regardless of gender identity, any student who is uncomfortable using a shared facility regardless of the reason shall, upon the student's and/or a parent/guardian request, be provided with a safe and non-stigmatizing alternative. This may include, for example, addition of a privacy partition/curtain, provision to use a nearby private restroom/office, or a separate changing schedule.

Dress Code

Within the constraints of the district's student dress code policy ([502.9 Student Appearance](#)), students may dress in accordance with their gender identity. School staff shall not enforce a dress code more strictly against transgender and gender nonconforming students than they do with other students.

Physical Education and Athletics

All students shall be permitted to participate in physical education classes, intramural sports, clubs, and school events in a manner consistent with their gender identity. Students may enroll in physical education classes that correspond with their gender identity, correspond with their sex assigned at birth, or that are not gender-specific. As a member of the Iowa High School Athletic Association (IHSAA) and the Iowa Girls High School Athletic Union (IGHSAU), the district follows their policies and recommendations for transgender athletic participation.

Overnight Trips

No student shall be denied the right to participate in an overnight fieldtrip because the student is transgender, gender nonconforming, or questioning their gender. Students shall be allowed to room with other students who share their gender identity or where they feel safest and most included. Accommodations on overnight trips for nonbinary students and students questioning their gender will be determined on a case-by-case basis with an emphasis on providing students with options that allow for them to feel safest and most included. No student should be forced to room by themselves because they are transgender, gender nonconforming, or questioning their gender.

Building administration shall work with the student to determine the accommodations that will be provided based on the particular circumstances of the trip and shall notify the student of such accommodations in advance. With the student's agreement, building administration may engage the staff member supervising the trip. Overnight accommodations shall be arranged and provided in a manner that respects the student's desired level of confidentiality. Building administration and/or staff shall not notify parents of other students regarding a trans or gender nonconforming student's housing accommodations.

Staff members should always work with a student, regardless of gender identity, to address concerns regarding inclusion or safety and develop a plan for participation that addresses the student's concerns.

Records

The district and/or building shall maintain a mandatory, permanent student record that includes a student's legal name and legal gender. However, to the extent that the district and/or building is not legally required to use a student's legal name and gender on other school records or documents, the district and/or building shall use the name and gender preferred by the student. The district and/or building will change a student's official record to reflect a change in legal name or gender upon receipt of documentation that such change has been made pursuant to a court order or through amendment of state or federally-issued identification (School IDs, for example, are not legal documents and should use the student's preferred name). In situations where school staff or administration are required by law to use or report a transgender student's legal name or gender, such as for purposes of standardized testing, building secretaries will keep a record of the student's legal names and this document will be kept in a locked file for their access only. When a student transitions from one school to another, the recording form will be shared from building secretary-to-building secretary. A student's Gender Support Plan will be shared either administrator-to-administrator or school counselor-to-school counselor; depending on the student's preference.

All written records related to student meetings concerning their gender identity and/or gender transition with any staff member will be kept in a temporary file that shall be maintained by the school counselor. The file will only be accessible to staff members that the student has authorized in advance to do so.

Discrimination and Harassment

No student shall be denied equal access to education on the basis of their gender identity or gender expression. Allegations involving violations of these administrative regulations shall be reported in a manner consistent with all applicable board policies. Policies prohibiting harassment and discrimination on the basis of sex also include harassment based on gender identity and expression.

Media and Community Communications

When communicating to the media or community about issues related to gender identity, the district and/or building shall have a single spokesperson to address the issue. Rather than directly commenting on the issue, all other school staff shall direct parents and/or the media to the designated spokesperson. Protecting the privacy of transgender and gender nonconforming students must be a top priority for the spokesperson, as well as for all staff, and all medical information shall be kept strictly confidential. Violating confidentiality of this information is a violation of district procedures and may be a violation of local, state, or federal privacy laws.

Definitions

The following definitions are provided not for the purpose of labeling students, but rather to assist in understanding this policy and the legal obligations of school staff. Students may or may not use these terms to describe themselves.

Affirming: Acknowledging and supporting the identity of an individual.

Ally: A person who is not LGBTQ+ but shows support for LGBTQ+ people and promotes equality.

Cisgender/Cis: Used to describe one whose gender identity corresponds solely with their sex assigned at birth.

Gender Diversity: Refers to the wide range of gender identities, gender roles, and/or gender expressions that exist.

Gender Expression: The manner in which a person represents or expresses gender to others; often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

Gender Identity: A person's deeply-held sense or psychological knowledge of their own gender. One's gender identity can be the same or different than the gender assigned at birth. Most people have a gender identity that matches their assigned gender at birth. For some, however, their gender identity is different from their assigned gender. All people have a gender identity, not just transgender people. Gender identity is an innate, largely inflexible characteristic of each individual's personality that is generally established by age four, although the age at which individuals come to understand and express their gender identity may vary based on each person's social and familial social development.

Gender Nonconforming: A term for people whose gender expression differs from stereotypical expectations, such as feminine boys, masculine girls, and those who are perceived as androgynous. This includes people who identify outside traditional gender categories or identify as both genders. Other terms that can have similar meanings include gender diverse or gender expansive.

Gender Support Plan: A document that may be used to create a shared understanding about the ways in which a student's gender identity will be accounted for and supported at school.

Intersex: A general term used for the many ways in which a person can be born with chromosomes, reproductive anatomy, and/or genitalia that do not fit the typical binary expectations of female or male.

LGBTQ+: A commonly used acronym referring to the lesbian, gay, bisexual, transgender, and queer community. The plus sign acknowledges that there are additional identities within the community. Other iterations include LGBTQQIA (Includes questioning, intersex, and asexual/aromantic).

Misgendering: When a person intentionally or accidentally uses the incorrect name or pronouns to refer to a person. Repeated or intentional misgendering is a form of bullying and harassment.

Non-Binary Gender: Reflects gender identities that do not fit within the binary of male and female. Individuals may identify as both genders, neither, and/or some mixture thereof. Some terms under this umbrella include, but are not limited to, genderqueer, gender fluid, agender, bigender, etc. Some non-binary people may use they/them/theirs or other neutral pronouns

Outing: When someone discloses information about another person's sexual orientation or gender identity without that person's knowledge and/or consent. Outing by school staff without the student's consent can violate the student's privacy rights.

Pronouns: Words used to refer to someone without using their name. Common pronouns include, but are not limited to, they/them, she/her, and he/him.

Sex Assigned at Birth: Typically, the assignment of male or female at birth by a medical professional based on visible body parts. This binary assignment does not reflect the natural diversity of bodies or experiences.

Sexual Orientation: The term for someone's romantic, emotional, physical, and/or sexual attraction to the same or different gender. Sexual orientation is distinct from gender identity.

Transgender/Trans: Individuals with a gender identity different than the sex they are assigned at birth. Transgender can be used as an umbrella term that encompasses diversity of gender identities and expressions. Being transgender is not dependent on appearance, body parts, or medical procedures.

Transition: The process whereby people may change their gender expression, bodies, and/or identity documents to match their gender identity. Transition can be social, medical, and/or legal and is different for every individual. In children, adolescents, and adults it is increasingly common for gender transition to be an ongoing process.

Adopted:

Related Policy (Code#): 103.1, 103.1-R; 103.1-E1-E3; 104.1, 104.1-R, 104.1-E1-E5; 104.3; 503.14

Legal Reference (Code of Iowa): 216.9 and Title IX