



# RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

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## Gender-Based Harassment and Discrimination

The Board of Education is committed to providing an equal educational opportunity for all students in the District including lesbian, gay, bisexual, and transgender (LGBT) students. When students are subjected to harassment on the basis of their LGBT status, they may also be subjected to forms of sex discrimination.

Any questions concerning whether alleged conduct might involve gender-based harassment/discrimination should be promptly brought to the Title IX Coordinator's attention. Complaints of sexual harassment, including those involving gender identity, will be addressed under Board Policy 411.3.

### Nondiscrimination Guidelines Related to Students who are Transgender and Students Nonconforming to Gender Role Stereotypes

The district prohibits all forms of harassment, bullying or unlawful discrimination against any transgender student or any student who does not conform to gender role stereotypes. Complaints alleging discrimination, harassment or bullying are to be handled in the same manner as other discrimination, harassment, and bullying complaints.

#### Definitions:

**Transgender** describes people whose gender identity is different than their biological sex assigned at birth.

**Gender identity** is a person's deeply held sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth.

**Gender nonconforming** describes people whose gender expression differs from stereotypical or prevailing social expectations-

**Gender expression** refers to the way a person expresses gender, such as clothing, hairstyles, activities or mannerisms.

### Student Privacy, Names and Pronouns, and Official School Records

Personally identifiable information related to a student's gender status or biological sex may be protected not only as an education record, but also as a confidential medical or patient health care record. School personnel with knowledge of any student's transgender status or gender nonconforming presentation are expected to treat information as sensitive, even internally among school staff and school officials.

When referring to students at school and in connection with school activities, school personnel will normally use the student's legal name and the pronouns that correspond to the student's biological sex assigned at birth. However, an adult student or the parent or guardian of the minor student may determine the name and gender

pronouns that school employees use to address the student at school and in connection with student-related activities, and school personnel are expected to respect that decision. State or federal law, may require the District to use or report the legal name or biological sex of the student as that data is reflected in the district's official records.

School district staff shall encourage students to communicate with their parents about their gender identity, as our district may not be able to maintain confidentiality from parents with regard to such information. When there is a disagreement between a minor student and the parent or guardian of that minor student on the name and gender pronouns that school employees use to address the student at school and in connection with student-related activities, the Administration will schedule a meeting with the student, parent or guardian, school guidance personnel and any other staff member or consultant the Administration deems likely to be helpful in working toward a consensus. In the event no consensus is reached, the Administration shall determine the name and gender pronouns that will be used to address the student based on the following factors:

1. The age of the student
2. A written statement from the student and/or parent or guardian regarding the consistent gender identity and expression to which the student self-relates.
3. Documentation from individuals including but not limited to other family members, friends and/or teachers, which affirm the actions, attitudes, dress and manner and demonstrate the student's consistent gender identification and expression.
4. Written information provided by an appropriate health care professional regarding the student's consistent gender identification and expression.

#### Restroom and Locker Room Accessibility

In most cases, a student who is transgender will be permitted to access the gender segregated restrooms that correspond to the gender identity that the student consistently asserts at school. Any student who requests increased privacy may be provided with access to a single-sex restroom and/or a reasonable alternative changing area or changing schedule. If a transgender student makes any request regarding the use of locker rooms or any similar type of changing area, the request shall be assessed on a case-by-case basis with the goals of: (a) facilitating the transgender student's access to the district's physical education curriculum and other relevant programs; (b) ensuring adequate student privacy and safety; and (c) minimizing stigmatization of the transgender student. There is no absolute rule that, in all cases, will require a transgender student to access and use only locker rooms and other changing areas that correspond to the biological sex that the student was assigned at birth.

#### Participation in Physical Education Classes, Sports, and Other Activities

A student who is transgender shall be permitted to participate in physical education classes and intramural sports and other activities in a manner consistent with the gender identity that the student regularly asserts at school. Students who are transgender shall be permitted to participate in interscholastic athletics sponsored by the Wisconsin Interscholastic Athletics Association (WIAA) in a manner consistent with the requirements and policies of the WIAA, which are subject to change without notice. The District will follow the policy in effect at the time of the request. Students who are transgender shall be permitted to participate in interscholastic athletics and other activities that are not sponsored by the WIAA in a manner consistent with this policy.

#### Dress Codes

Within the constraints of the district's dress code policy, students may dress in accordance with their gender identity.

CROSS REFERENCE: Policy 411.3 Title IX: Sexual Harassment Policy for Students and Other

## Applicable Individuals

APPROVED: November 10, 2016

REVISED: October 14, 2021

APPROVED: November 11, 2021

REVISED: March 10, 2022

APPROVED: April 14, 2022