

New City School

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Gender Inclusion Policy

Reason for Policy

The purpose of this policy is to ensure a safe and inclusive learning environment for all students, regardless of the student's gender identity, gender expression, gender transition, transgender status or gender non-conformity.

Policy Statement

It shall be the policy of New City School to ensure inclusive access to programming and facilities. Therefore, New City School will:

- Respect all students' gender identity and gender expression by honoring the right of students to be identified and addressed by their preferred name and pronoun.
- Within academic programming, prohibit the separation of students or curricular materials based upon gender unless it serves a compelling pedagogical tool.
- Provide all students the opportunity to participate in co-curricular and extra-curricular activities in a manner consistent with their gender identity, including but not limited to intramural and interscholastic athletics.
- Provide all students access to facilities that best align with students' gender identity.

Definitions

"Gender" refers to the socially constructed roles, behaviors, activities, and attributes that a given society attaches to femininity or masculinity.

"Gender Expression" refers to the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

"Gender Identity" refers to a person's deeply held sense or knowledge of their own gender.

"Gender Nonconforming" is a term for persons whose gender expression differs from stereotypical expectation. This includes persons who identify outside traditional gender categories or identify as both genders.

"Transgender" is an adjective describing persons whose gender identity or expression is different from that traditionally associated with the sex at birth.

"Transitioning" refers to the process in which a person changes their gender expression to better reflect their gender identity.

Administrative Procedures

Official Records - New City School maintains permanent student records that include students' legal names and genders. New City School will change a student's official records to reflect a change in legal name or gender upon receipt of documentation of a legal name or gender change. New City School will maintain the privacy of student records and protect against unnecessary sharing of name or other information that could be an obstacle to belonging in the school community.

Request for Accommodation - The responsibility rests with the student or with the student's parent or guardian to:

1. notify school of gender transitioning; a change in gender identify, or transgender status;
2. request accommodation under the NCS Gender Inclusion policy;
3. following notification or request for accommodation by either the student or the parent or guardian, New City School will arrange a meeting with the student, and the parent or guardian in order to discuss and address individual student needs and requests. Requests for accommodation will be approved by the Executive Director.

Accommodations

1. Welcome meeting: Upon request for accommodation, NCS will schedule a meeting to determine specific accommodations staff members will need to implement and to introduce an advocate for the student.
2. Advocacy: A student requesting accommodation will be offered the support of an advocate on staff who can support the student in communicating their needs and support staff members in implementing accommodations.
3. Use of Names and Pronouns: NCS personnel will identify and address a student by that student's preferred name and pronoun in class and in conferences with the student's parent or guardian. Documentation of a legal name change is not required as a prerequisite to being addressed by a student's preferred name and pronoun. A student's wishes regarding name and pronouns will have precedent when there is disagreement within the family.
4. Safe Space Culture: In keeping with an ethic of inclusion, NCS will cultivate the concept of and practices around safe space with students.
5. Dress Codes: A student may dress in a manner that is consistent with his or her gender identity or gender expression, within the constraints of the NCS's dress policy.
6. School Activities: NCS discourages the separation of students or curricular materials based upon gender unless it serves a compelling pedagogical tool. In the event of a gender-based school activity, a student may participate in the group that corresponds to their gender identity or gender expression.
7. Co-curricular and Extra-curricular Activities: A student may participate in co-curricular and extra-curricular activities in a manner consistent with their gender identity, including but not limited to intramural and interscholastic athletics.
8. Restrooms: A student desiring increased privacy will be allowed to use an alternative, single person restroom (e.g. Nurse's office or Staff restroom). A student will be allowed to use the restroom that corresponds to the gender identity they consistently, persistently and insistently assert at NCS. No student shall be required to use a restroom that conflicts with their gender identity.

9. Locker Rooms: A student desiring increased privacy will be allowed to use an alternative, private location to change clothing (e.g. Nurse's office, private restroom, restroom with private stalls, or private staff office), or an alternative changing schedule. A student will be allowed to use the locker room that corresponds to the gender identity they consistently, persistently and insistentlly assert at NCS. No student shall be required to use a locker room that conflicts with his or her gender identity.
10. Overnight School Trips: A student desiring increased privacy will be afforded an alternative or separate sleeping arrangement if such an option is reasonably available. If no reasonable alternative or separate sleeping arrangement is available, the student may be excused from participation in the trip and offered alternative educational programming. A student will be allowed to use the sleeping facility that corresponds to the gender identity he or she consistently, persistently and insistentlly asserts at school. No student shall be required to use a sleeping facility that conflicts with his or her gender identity.

Legal References:

- Minn. Stat. §363A et. seq. (Minnesota Human Rights Act)
- Minn. Stat. §121A.031 (Safe and Supportive Minnesota Schools Act)
- Minn. Stat. §121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
- Minn. Stat. §121A.04 (Athletic Programs; Sex Discrimination)
- 20 U.S.C. §1681 et. Seq. (Title IX)
- 20 U.S.C. §1701 et. Seq. (Equal Educational Opportunities)

Cross References to District Policies

- 5.4.1 Prohibition Against Unfair Discriminatory Practices in Education and Grievance Procedures
- 5.4.2 Student Bullying Prohibition

Adopted by the NCS Board of Directors, April 18, 2018