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LEGAL REF.: Wisconsin Statutes

Section 118.13 [Student discrimination prohibited]

Wisconsin Administrative Code

PI 9 [Student nondiscrimination policies/discrimination complaint procedures required]

PI 41 [Accommodating a student's

NONDISCRIMINATION GUIDELINES RELATED
TO STUDENTS WHO ARE TRANSGENDER
AND STUDENTS NONCONFORMING
TO GENDER ROLE STEREOTYPES

The following guidelines relate to students who are transgender and students who do not conform to gender role stereotypes. This guideline serves two important purposes. First, significant portions of the guidelines facilitate compliance with the District's legal obligations. Under many circumstances, an individual's transgender or gender nonconforming status serves as a basis for legal rights and protections. Second, even where specific actions may not be required by applicable law, these guidelines are intended to further the District's local goals concerning the creation and maintenance of positive and supportive environments that appropriately provide for the education, safety, and welfare of all students.

SCOPE

These guidelines are intended to apply to students on all District grounds, in all District buildings, and in all District educational environments, including any property or vehicle owned, leased or used by the school district. This includes public transportation used by District students to go to or from school. Educational environments include, but are not limited to, non-District buildings or grounds used in connection with school-sponsored activities.

While the guidelines established in this rule provide important direction to District employees, students, school families, and other persons, the guidelines 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 guidelines, the needs and concerns of each student will be assessed in a timely manner on an individualized basis with consultation with parents/guardians where appropriate.

GUIDELINES

1. Definitions.

The definitions below are not intended to label students but rather to assist in understanding these guidelines and the expectations of staff in complying with District policies and legal requirements. Students might or might not use these terms to describe themselves.

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

b. "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. Everyone has a gender identity.

c. "Gender nonconforming" describes people whose gender expression differs from stereotypical or prevailing

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/guardian of a minor student may determine the name and gender pronouns that school employees should use to address the student at school and in connection with school-related activities. A court-ordered name change or medical treatment or medical procedure is not required to initiate such a request. Upon being informed that a student (an adult student or a minor student's parents who have consented to the minor's choice) intends to regularly use a particular name and/or prefers to be addressed using particular pronouns that correspond to the student's gender identity, school personnel are expected to respect that decision.

The District's approach of respecting a student's decision to regularly use a name and the pronouns that correspond to the student's gender identity is not a commitment to change all existing school records in order to reflect those preferences. Further, there may be situations where the District is required to use or report the legal name or biological sex of the student as that data is reflected in the District's official records. The extent to which official records of the District are modified will depend on a case-by-case evaluation of the information that the District receives, and the type(s) of school records affected by the information that is received. For example, when a student legally changes his/her name and that change is sufficiently substantiated, the District will issue a high school transcript under the student's new legal name.

4. Restroom and Locker Room Accessibility.

In most cases, a student who is transgender will be permitted to access the men's/women's segregated restrooms that correspond to the gender identity that the student consistently asserts at school and in other social environments. Any student who has a need or desire for increased privacy, regardless of the underlying reason, may be provided with access to a single-access restroom where such a facility is reasonably available, but no student shall be required to use such a restroom because of the student's transgender or gender nonconforming status.

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. The physical layout of the facility and the degree of undress

biological sex of the student as that data is reflected in the District's official records. Requests regarding alternative lodging arrangements should be addressed to the building principal. The building principal shall inform the Title IX coordinator of the request and the principal and Title IX coordinator shall consult with the Superintendent to develop a response to the request. Anyone making such a request must be aware that the District is limited in regard to information that it can disclose about a student, and that such limitations may affect the ability to provide alternative arrangements. The District will give consideration to parental input from all students' parents. The response shall be provided in a timely fashion without any undue delay.

REVIEWED:

POLICY 5111
BULLYING

The Kenosha Unified School District strives to provide a safe, secure and respectful learning environment for all students and employees in District buildings, on District grounds, on vehicles transporting students to or from school, and at school-sponsored activities on or off school grounds. Bullying has a harmful social, physical, psychological, and academic impact on bullies, victims and wistudents to go ational environments limited to, non-District buildings or gr ounds used in sponsored activities.

“Bullying” is defined as deliberate or intentional behavior intended to cause fear, intimidation or harm. Bullying i power – the person bullying has more social or physical po

bullied. Bullying also most often ~~and may~~ involves repeated behaviors ~~repeated over time toward the same person or group of people~~. Bullying may be motivated by an actual or perceived distinguishing characteristic, including, but not limited to: age, sex, race, religion, national origin or immigration status (including limited English proficiency), ancestry, creed, color, pregnancy, marital or parental status, sexual orientation, transgender status (including gender expression, gender identity and gender nonconformity), or physical, mental, emotional or learning disability and social, economic or family status.

Bullying can manifest itself in conduct that is:

- x Physical (e.g., hitting, punching, or kicking);
- x Verbal (e.g., threatening or intimidating language, teasing, or name-calling);
- x Indirect (e.g., spreading rumors, intimi dation through gestures, or social exclusion; and
- x Cyber. Cyber bullying can occur through technology li ke email, chat rooms, instant messaging, websites, text messages, digial applications or social media. Cyber bullying can take place at school or outside of school if it impacts student learning while at school or under school supervision.

The conduct identified above is not intended and should not be construed as an exhaustive or comprehensive listing of conduct/behavior that may be deemed

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