



Guidelines for Supporting Students & Staff who are Transgender or Gender Nonconforming

Legal and Policy References

LPS Board Policies:

- AC - Non Discrimination/Equal Opportunity
- JB - Equal Educational Opportunities
- JBB - Sexual Harassment
- JICDA - Student Code of Conduct

Colorado Revised Statutes: [24-34-301](#); [24-34-601](#)

Federal Statutes: [20 U.S.C. §§1232g](#); [34 C.F.R. Part. 106](#); [28 C.F.R. Pt. 54](#).

[Colorado Civil Rights Commission Rules & Regulations](#) / Colorado Anti-discrimination Act

LPS Board of Education [All Means All Resolution](#)

Purpose

The purpose of these guidelines is to ensure safety, equity, and justice for all students regardless of sex, sexual orientation, transgender identity, gender identity and gender expression. State and federal law as well as District Policy require that all District programs, activities, and employment practices are free from discrimination.

These guidelines are issued in alignment with these mandates and with the goal of creating a safe learning and working environment for all students and staff and to best support the needs of any student or employee who is transgender or gender nonconforming.

This guidance will not be able to fully address every unique situation. Each student and employee must be supported individually in accordance with District policy and applicable law, so that the District ensures that all students and employees, regardless of their gender identity or expression, are respected. A student's age and developmental level should be considered in the planning process.

GUIDELINES FOR STUDENTS

Parent Involvement & Privacy

Parent and family support are key determinants of student health and staff should provide resources to help families and students locate information, counseling, and support services. Schools should seek to involve parents and legal guardians in the process of a student's social transition at school to support the student's health, safety and well-being. Parental involvement is

even more critical when a student has a disability or specific health or mental health issues that may impact their needs and decisions.

Parents are strongly encouraged to seek agreement within the family system regarding the student's plan at school as to avoid conflictual situations that impact a student's learning.

In general, a student should not be required to disclose information about their transgender status or gender identity to anyone until they are ready for others to know this information. In situations where the student is requesting use of a new name or gender pronouns by staff and peers at school and/or access restrooms or locker rooms of a new gender but does not want to inform their parents/guardians, the school mental health professional will meet with the student to proactively discuss parental involvement, resources for support, limitations to privacy due to school being a public place and to clarify that school staff will not lie to parents / guardians if asked about this information.

If the mental health professional has reasonable grounds to believe that disclosure of this information to parents would be detrimental to the student's safety they will contact the district's office of Social, Emotional and Behavior Services for further guidance.

Determining a Student's Gender Identity

Schools should avoid assuming the role of gatekeeper and should accept a student's asserted gender identity unless there is a credible basis for believing that the student is asserting a particular gender identity for some improper purpose. In such cases, the decision to deny a student's asserted gender identity will be made in consultation with the district's office of Social, Emotional and Behavior Services.

There is no medical, mental health or legal threshold requirement that any student must meet in order to have their gender identity recognized and respected by a school. Each student has a unique process for transitioning and the school shall customize support to optimize each student's access to the District's educational programs and activities. School staff should focus on helping each student have a positive experience at school while not attempting to persuade or dissuade a student about making a gender transition.

Gender Transitions and Gender Support Plans

When appropriate, a Gender Support Plan will be created collaboratively with the student, parent/guardian and the appropriate school staff members. While not required, this type of planning should always be offered to the student and family and is recommended to help outline the specific needs of the student, family, and clarify details for the school team. The plan can be used to outline the details of how a student's gender transition will be addressed including privacy and information sharing. Regardless of whether a student's transition is public or private, schools should be prepared for a variety of contingencies that could occur. Schools should continue to support students beyond their transition to ensure that the school environment remains a safe and supportive place to learn. Consultation and resources are available within the district to assist schools with how to appropriately support transgender students with their transition whether this is done publicly or privately. The student, parents/guardians, school mental health professional and administrator will determine who else should have access to the plan, where it is housed and how the information is transferred to the next school or grade level.

Employees are encouraged to consult with the student and student's school mental health professional if unsure about how best to communicate with the student's parent/guardian.

Use of Name and Gender Pronouns by School Staff

School staff should use the student's preferred name and gender pronouns. Students are not required to obtain a new birth certificate or court-ordered name or gender change in order to be addressed at school by the name and pronouns which correspond to their gender identity.

In cases where a student and their parent / guardian have discussed but are not in agreement regarding use of name and gender at school, a school administrator and school mental health professional will attempt to help the family come to an agreement. If an agreement cannot be reached, the school team will work in consultation with the district's office of Social, Emotional and Behavior Services to determine which name and pronoun will be used in the school setting. The age, developmental level and unique situation of the student and family will be taken into consideration in these decisions.

Educators should review student demographic/summary information in Infinite Campus when there are questions about pronoun usage and preferred names / nicknames for students. If you are unsure which name/pronoun to use for a student, please talk with an administrator and/or their Counselor, Psychologist or Social Worker for guidance.

Questionnaires and surveys are helpful ways to establish belonging and relationship. When using surveys, it is acceptable to ask students about their preferred pronouns, but students should not be required to share pronouns.

Some strategies include, but are not limited to....

- Use an index card and ask students to complete it with anything they want the teacher to know about how to be responsive and supportive to the student.
- Encourage students to talk to the teacher about things they want the teacher to know, including pronouns.
- Provide students with a short survey or questionnaire that inquires about the student's interests, strengths, growth areas, pronouns, etc. (If you include a question in a "getting to know you" survey regarding preferred gender and/or pronouns, that question cannot be required and you must include a choice of "prefer not to answer". Be certain to double-check each question if using a Google Form to ensure that none have defaulted to "required" questions.)

Educators can convey the commitment to inclusiveness by describing this on a syllabus, presentation, or as part of the class expectations. (eg: "Please let me know privately after class or through email if there is any information about you that will be helpful to me so you feel comfortable in our class.")

Educators cannot intentionally hide a student's preferred name/pronouns from parents. If a student asks you to keep this a secret, please connect them with their Counselor, Psychologist or Social Worker for more information and support.

If a student or staff member has personal or philosophical opposition to using someone else's specific pronouns it is their responsibility to refer to the person by their name.

If there are ongoing issues with intentional misgendering, please contact an administrator.

Under current policy, GSA/SAGA clubs are "Student Initiated" and follow the associated guidelines under policy [JJA](#) and [JJA-R](#). If you have any questions about a club, please contact your building administrator.

Changes to District Information Systems & Student Records

The District recognizes the importance of keeping accurate, comprehensive student records as required by law. The District is required to maintain an official, permanent pupil record with the legal name and gender appearing on the student's birth certificate. In addition, the District is required to have procedures for maintaining the confidentiality of student records which shall be consistent with state and federal law.

There are three options available to a student who is transitioning to a new name and/or gender:

1. Addition of a Nickname: By approval from a School Mental Health professional, a student can request the addition of a nickname in Infinite Campus to indicate a preferred name. The nickname will be utilized for class lists and rosters but will not show on official lists, reports or other documents.
2. Official Request to Change Preferred Name and/or Gender: The District provides a process for a family to change a student's profile within District Information Systems to use the preferred first and middle name and gender marker. As part of this process, a School Mental Health professional works with the student and family to discuss the student's needs and outline the ramifications of such a change. At least one parent with educational decision authority must approve and sign the [Request to Change Preferred Name and/or Gender Form](#) which includes an advisement to the family regarding certain limitations and the impact to the consistency of the student's educational records. A copy of the form will be included in the counseling documents tab of Infinite Campus.
3. Provision of Documentation of a Legal Name and/or Gender Change: If a family provides documentation of a new official birth certificate or court order indicating a change in name and/or gender marker, the District will make the change officially in all systems with no additional need to maintain the previous name and/or gender.

Definitions:

LEGAL Name/Gender: The name and/or gender marker that is listed on the students legal documents including birth certificate, social security card, or other government issued documents.

Approved PREFERRED Name/Gender: The name and/or gender marker that has been approved for use in LPS Information Systems through submission of the [Request to Change Preferred Name and/or Gender Form](#) signed by a Parent/Guardian.

Document	Name / Gender to be Used	Exceptions Process
Official Transcripts	Legal Name/Gender	Case by case exceptions to use Approved Preferred Name must be approved by Director of Social, Emotional & Behavior Services
Official Diploma	Legal Name	Case by case exceptions to use Approved Preferred Name must be approved by Director of Social, Emotional & Behavior Services

State Assessments	Legal Name/Gender (When Required)	LPS will comply with any state or federal requirements regarding data exchanges.
Health Care Plans / Medical Documentation	Legal Name/Gender	Case by case exceptions to use an Approved Preferred Name must be approved by Director of Student Support Services
IEPs	Approved Preferred Name/Gender	Nicknames can be added in the narrative of the document if requested by the student
Section 504 Plans	Approved Preferred Name/Gender	Nicknames can be added in the narrative of the document if requested by the student
Advanced Learning Plans (ALPs)	Approved Preferred Name/Gender	Nicknames can be added in the narrative of the document if requested by the student
Report Card	Approved Preferred Name/Gender	On a case by case exception approved by the Director of Social, Emotional & Behavior Services, separate report cards can be printed in both the Legal and Preferred names
Yearbooks	Approved Preferred Name/Gender	Nicknames can be used in yearbooks with written approval from a parent
Student ID	Approved Preferred Name/Gender	Nicknames should not be used on student IDs for safety/emergency reasons
All other informal documents, lists, rosters, classroom materials, etc	Approved Preferred Name/Gender OR Nickname	Consult with the school mental health professional if there are questions or concerns

Access to Restrooms and Locker Rooms

In general, students are allowed access to the restroom or locker room that corresponds to their gender identity. In making decisions regarding an individual student's access to restrooms and locker rooms, schools should consider at least the following factors: the student's age, the student's preferences (including the student's need or desire for increased privacy regardless of the reason), any relevant medical needs, the location of facilities in proximity to the student's classes and schedule, the design and layout of the facilities, the age and nature of the other students, the student's maturity level, and behavior or disciplinary history. The specific arrangements should not place improper limits to the student's access to instruction or opportunity to participate in physical education classes, sports, or other activities. Students will not be allowed to access both male and female facilities. Non-binary students who use gender-specific facilities must select one gender to use consistently.

Restrooms: 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. Each school campus should designate a single stall and/or all-gender restroom available to students. If the location of

the restroom requires students to travel in ways that could delay their timely arrival to class, an accommodation plan should be developed.

Locker Rooms: Schools shall make reasonable accommodations to allow students to access the locker room that is consistent with their gender identity. Any reasonable accommodation should be provided in a way that allows the student's transgender or gender nonconforming status to be kept confidential. In no case shall a student who is transgender or gender nonconforming be required to use a locker room that conflicts with the student's gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to their gender identity before or after other students).

School staff will contact District Level Director and/or the Director of Social Emotional and Behavior Services regarding any concerns, conflicts or issues related to facility use.

Athletics and Activities

According to the [Colorado High School Activities Association \(CHSAA\)](#), all students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity. CHSAA guidelines clarify that a student's home school will perform a confidential evaluation to determine the gender assignment for the student.

The student and student's parent/guardian must notify the school in writing that the student has a gender identity different from their sex assigned at birth and list the sanctioned event(s) in which the student would like to participate. Students may only participate in sports of one gender; non-binary students must select the gender in which they wish to participate.

In conducting the evaluation, the school may consider the student's current transcript/school registration information, and/or a written statement from the student affirming their gender identity. The school may also consider, but may not require, the following information, if it is voluntarily provided by the student or the student's parent/guardian:

- Documentation from parents, friends, and/or teachers which document actions, attitudes, or external presentations that affirm the student's gender identity;
- Written verification from an appropriate healthcare professional (doctor, psychiatrist, psychologist) of the student's gender identity; or
- Medical documentation of treatments such as hormonal therapy or surgery.

Gender Based Activities

Schools are strongly encouraged to evaluate the educational purpose of all gender-based activities, rules, policies, and practices including classroom activities, school assemblies/ceremonies, school photos, etc. Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

Overnight Field Trips and Events

When planning for overnight stays during an activity or athletic event, school teams must collaborate with district staff. Room assignments will be determined by the school administration and a mental health professional including consideration of the age, developmental level and general safety and privacy considerations for all students and in collaboration with the student and their family.

Harassment or Discrimination Based on Gender Identity

Harassment and disrespect based on a student's sex, gender, sexual orientation, or transgender status shall be addressed through the LPS Code of Conduct and associated policies. The intentional or persistent refusal to respect a student's gender identity (for example, intentionally refusing to use a student's name or personal gender pronouns) may be considered a violation of District policies and the Student Code of Conduct, depending upon the circumstances.

Discriminating against a student based on their gender identity (for example, wrongfully preventing a student's participation in programs or activities consistent with their gender identity and in accordance with these guidelines) is a violation of federal and state law and District policy. Staff members who have questions should request assistance from their site administrator.

GUIDELINES FOR EMPLOYEES

Privacy and Supports

District employees have the right to discuss their gender identity or expression openly, or to keep that information private. It is the decision of the employee to decide when, with whom, and how much to share their private information. Information about an employee's transgender or gender nonconforming status (such as the sex they were assigned at birth) shall be considered confidential information.

Other employees should not disclose information that may reveal an employee's transgender or gender nonconforming status to others. This information may only be shared with the employee's consent and with coworkers who truly need to know this information to do their jobs.

Gender Transitions and Support

Staff who are socially transitioning are highly encouraged to work with the Human Resources team to discuss applicable issues and resources. Depending upon the employee's role and duties, communication related to students, parents and colleagues may be considered. Considerations will include the specific role of the employee, and the age and developmental or considerations of students.

Official Records / Names and Pronouns

Regardless of whether a transgender or gender nonconforming employee has legally changed their name or gender, an employee may request that students and other employees refer to the employee by the employee's name of use and personal gender pronouns.

The employee's legal name must be used in the District's employee database, given the payroll and benefits issues with federal reporting. This legal name is then used in many of the downstream processes and integrations to other systems.

Restrooms

Taking into account existing school/District facilities, building administrators will work with the District's facilities design team to take steps to designate single stall and/or all-gender restrooms on their campuses. Where facility constraints make this impracticable, administrators will identify an all-gender restroom for employees seeking increased privacy.

Harassment or Discrimination Based on Gender Identity

The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally refusing to use an employee's preferred name or personal gender pronouns) shall be considered a violation of these guidelines and may be considered a violation of District policy, depending upon the circumstances. Further, discriminating against an employee based on their gender identity is a violation of federal and state law and District policy.

COMMUNICATION AND PROFESSIONAL DEVELOPMENT

The District shall provide information on how to access resources and how to report discrimination or harassment on the public website.

The District shall conduct training for employees on their responsibilities under applicable laws and District policies.

To the extent funding is available, the District shall implement ongoing professional development to build employees' skills as a means to support transgender and gender nonconforming students and staff.