

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Non-Discrimination and Gender Identity</p>
	<p>POLICY CODE: ACD</p>

Non-Discrimination and Gender Identity

The Board believes in fostering a safe educational environment in which every student has equal access to all school programs and activities. To that end, the Board is committed to a policy of nondiscrimination in regard to gender identity. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

In order to ensure a safe school environment, schools must respond promptly and effectively to harassment of all students, including harassment based on a student’s actual or perceived gender identity, transgender status, or gender transition. Discrimination, harassment, bullying, or sexual harassment complaints involving transgender students shall be handled in the same manner as other discrimination, harassment, bullying, and sexual harassment complaints.

Definitions

- *Gender identity:* an individual’s internal sense of gender. A person’s gender identity may be different from or the same as the person’s sex assigned at birth.
- *Sex assigned at birth:* the sex designation recorded on an infant’s birth certificate should such a record be provided at birth.
- *Transgender:* individuals whose gender identity is different from the sex they were assigned at birth. A transgender male is someone who identifies as male but was assigned the sex of female at birth; a transgender female is someone who identifies as female but was assigned the sex of male at birth.
- *Gender transition:* the process in which transgender individuals begin asserting the sex that corresponds to their gender identity instead of the sex they were assigned at birth. During gender transition, individuals begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Non-Discrimination and Gender Identity</p>
	<p>POLICY CODE: ACD</p>

duration of time.

- *Sexual orientation:* an individual’s physical or emotional attraction to the same and/or the opposite gender. Gay, lesbian, bisexual, and straight are all examples of sexual orientations. A person’s sexual orientation is distinct from a person’s gender identity and expression.
- *Gender expression:* how a person manifests their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. It is usually an extension of their gender identity.
- *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. Other terms that can have similar meanings are gender diverse or gender expansive.

Communication When the school administration is notified by a student or the student’s parent or guardian that the student will assert a gender identity that differs from previous representations or records, the school will begin treating the student consistent with the student’s gender identity.

A school may not require transgender students to have a medical diagnosis, undergo any medical treatment, or produce a birth certificate or other identification document before treating them consistent with their gender identity.

Every student has the right to be addressed by a name and pronoun that corresponds to the student’s gender identity. This includes names and pronouns that are displayed in school-sponsored publications and school or district-sponsored online learning, communication or collaboration platforms (including, but limited to Zoom, Microsoft Teams, Google Hangouts, Webex, Skype, etc.)

Activities and Facilities When a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. This includes, but is not limited to, restrooms, locker rooms, shower

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Non-Discrimination and Gender Identity</p>
	<p>POLICY CODE: ACD</p>

facilities, housing, and single-sex classes. A school may make individual-user options available to all students who voluntarily seek additional privacy. It may not, however, require transgender students to use facilities inconsistent with their gender identity or to use individual-user facilities when other students are not required to do so.

Student Records: Privacy

Schools must make a reasonable effort to protect information such as a transgender student’s birth name or sex assigned at birth in order to protect that student’s privacy. While this information may be kept on record, every attempt must be made to keep these records confidential so as to not harm the student in any way.

If a student requests that changes be made to their official institutional records in relation to their gender identity, the request for amendment must be handled the same way it would be for any other student.

School staff shall not disclose information that may reveal a student’s transgender status to others. 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. This does not authorize school staff to disclose other medical information about the student.

Student Records: Names and Pronouns

Every student has the right to be addressed by a name and pronouns that correspond to the student’s gender identity. Regardless of whether a transgender or gender nonconforming student has legally changed their name or gender, schools will allow such students to use a chosen name and gender pronouns that reflect their identity.

It is recommended that school staff privately ask transgender or gender nonconforming students how they want to be addressed in class and in the school’s communication with the student’s parents or guardians. Some transgender and gender nonconforming youth may request to use “he” or “she” pronouns, while others may feel most comfortable being addressed by gender-neutral pronouns such as “they” or “ze” or just referred to by their names (without pronouns). If the student has previously been known at school by a different name, the school administration will direct school personnel to use the student’s chosen

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Non-Discrimination and Gender Identity</p>
	<p>POLICY CODE: ACD</p>

name and appropriate pronouns.

To ensure consistency among administrators and staff, every effort will be made to immediately update student education records (such as attendance reports, class rosters for substitutes, school IDs, transcripts, electronic records, Zoom and other remote learning identifiers, etc.) with the student’s chosen name and appropriate gender markers. In some circumstances, school administrators may be specifically required by law to record a student’s name or gender as it appears on documents such a current birth certificate. In those instances, school staff and administrators shall record this information in a separate, confidential file to avoid the inadvertent disclosure of the information. All records that are not specifically required by law to match government-issued documents shall be updated upon a student’s written request, which will include an acknowledgment that Tucson Unified shall notify parents/guardians of the request to change the student’s education records.

Nothing in this Policy or its implementing Regulations is intended to be, or interpreted as, infringing on the rights of students, parents, or guardians under [FERPA](#).

The Superintendent is authorized to issue Regulations and/or procedures necessary to implement this Policy.

Adopted: December 8, 2020

LEGAL REF.:

A.R.S.:

[1-601](#) – Parents’ Rights Protected

[1-602](#) – Parents’ Bill of Rights; Definition

[15-102](#) – Parental Involvement in the School; Definition

[15-113](#) – Rights of Parents; Public Educational Institutions; Definitions

[15-1042](#) – Student level data

[20 U.S.C. 1681, Education Amendments of 1972, Title IX](#)

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Non-Discrimination and Gender Identity</p>
	<p>POLICY CODE: ACD</p>

[Family Education Rights and Privacy Act \(FERPA\) \(20 U.S.C. § 1232g; 34 CFR Part 99\)](#)

CROSS REF.:

[AC](#) – Nondiscrimination

[ACA](#) - Sexual Harassment

[GBA](#) - Equal Employment Opportunity

[GBA-R](#) – Guidelines Regarding the Support of Transgender and Gender Nonconforming Individuals

[JB](#) - Equal Educational Opportunities and Anti-Harassment

[JI](#) – Rights and Responsibilities

[JICK](#) - Student Violence, Bullying, Intimidation and Harassment

[JICL](#) - Dating Abuse

[JK](#) – Student Discipline, [Student Code of Conduct](#)

[JR](#) - Student Records

[KB](#) - Parental Involvement in Education