



Policy Number: 3410

Dated: 11/17/2020

POLICY GENDER INCLUSION (TRANSGENDER)

PURPOSE

American Leadership Academy fosters an environment that is safe and free from discrimination for all individuals regardless of sex, sexual orientation, or gender identity. Bullying, cyber-bullying, hazing, discrimination, retaliation, and harassment based on a student's or employee's transgender status is not permitted under any circumstance. Such actions are illegal and abusive, and can negatively affect not only the school or work environment, but also an individual's health and well-being.

DEFINITIONS

1. **Assigned Gender:** The gender designated at the time of birth and may also be thought of as the gender corresponding to the individual's original physiology, or biological gender.
2. **Gender Expression:** The external cues or indications used to communicate gender to others, such as behavior, clothing hairstyles, activities, voice, mannerisms, or body characteristics.
3. **Gender Identity:** Refers to one's internal sense of one's own gender. It may or may not correspond to the sex assigned to a person at birth, and may or may not be made visible to others.
4. **Transgender:** An adjective describing a person whose gender identity or expression is different from the sex assigned at birth. A transgender male is someone who identifies as male but was a female at birth. A transgender female is someone who identifies as female, but was a male at birth.

RECORDS

The official records of the student shall reflect the student's legal name and gender, which is the name and gender listed on the student's birth certificate or as changed by court order. Access to this portion of official student records shall be restricted to maintain the confidentiality of a student's transgender status.

The unofficial records of the student shall reflect the preferred name and gender identity of the student as agreed upon by the student's parents and/or guardians.

STUDENT CONFIDENTIALITY

1. Students, and all other individuals, have a right to privacy.
2. School personnel must take reasonable steps to protect students' privacy related to their transgender status, including their birth name or sex assigned at birth.

3. When appropriate, school personnel should work closely with the student and parent in devising an appropriate plan regarding the confidentiality of the student's transgender status.

EMPLOYEE CONFIDENTIALITY

Supervisors, Human Resource, or coworkers should not disclose information that may reveal an employee's transgender status to others. This confidential information may only be shared with the individual's consent and with coworkers who truly need to know to do their jobs. Where necessary, the school may maintain records with this information, but such records should be kept confidential.

STUDENT TRANSITION PLANNING/ACCOMMODATIONS

A transgender student or their parents should contact the principal to schedule a meeting to develop a plan to address the student's particular circumstances and needs. At the school level the principal is responsible for receiving and evaluating the requests for accommodation. Upon receiving the request for accommodation, the principal shall formally document the request in writing.

The school will take reasonable steps to provide accommodation to students making a request based on their right to free gender expression and/or gender identity. The school will balance its decision on how to best accommodate the student with several factors including: the dignity of the person making the request; the goal of inclusiveness; health and safety concerns; the cost of the accommodation to the school and the effect of the accommodation on the school's ability to fulfill its duties under school policies

Once a principal has evaluated a request for accommodation and made a determination on whether to grant or deny the request, that decision shall be communicated to the person requesting the accommodation. If an accommodation request is granted, the principal will take steps to ensure that the accommodation is implemented.

FACILITIES

In determining which gender-segregated school facilities (restrooms and locker rooms) are to be used by transgender students, the school administrator shall take into consideration the desires of the student's parents as well as the privacy interests of other students and the parents of other students.

Potential accommodations include use of single user restrooms or changing spaces or using facilities at a different time than other students. If the desired use by the transgender student is in significant conflict with privacy interests of other students, the school principal should consult with the Executive Director.

CLASSES AND ACTIVITIES

Students may request to be accommodated in their classes and activities if those classes and activities are segregated by sex. Where school activities involve overnight travel, lodging arrangements for transgender students shall take into consideration the desires of the individual transgender student and the student's parents as well as the privacy interests of other students and their parents. If the desired

arrangement by the transgender student is in significant conflict with privacy interests of other students, the school principal should consult with the Executive Director and legal counsel if necessary.

UHSAA EXTRACURRICULAR ACTIVITIES

School participation in state-wide competitive sports governed by the Utah High School Activities Association (“UHSAA”) will be resolved on a case-by-case basis by applying the UHSAA policies and appeal procedures. Therefore, the school is bound by UHSAA’s policies and must comply with them in order to maintain our membership status. UHSAA has established a Transgender Participation Policy that it states is “for the protection of competitive balance and the integrity of women’s sports.”

UHSAA policy requires the school to make a determination of a student’s eligibility to participate in gender specific sports teams for a particular season based on the gender identification of that student:

1. In school records; and
2. The daily life activities in the school and community at the time that sports eligibility is determined.

The determination of a student’s eligibility should be analyzed by the principal, in conjunction with the appropriate athletic director and/or coach by using the following types of evidence:

1. Documentation from individuals such as, but not limited to, parents/legal guardians, friends and/or teachers, which affirm that the actions, attitudes, dress, and manner demonstrate the student’s gender identification and expression consistently asserted at school.
2. A complete list of medications or treatments, such as hormones or hormone blockers, taken by the student to promote gender based body changes which would modify an individual’s athletic ability.
3. Written documentation from an appropriate health-care professional of the student’s consistent gender identification or expression; or
4. Any other pertinent documentation or information which the student or parents/legal guardians deem relevant and appropriate.

Principals are responsible for verifying that they have followed the criteria above when submitting a roster to UHSAA, as UHSAA relies on this verification to acknowledge that the school and the principal have determined that the students listed on a gender specific sports team are eligible for participation because of their gender identity, and that the school has determined that the expression of the student’s gender identity is bona fide and not for the purpose of gaining an unfair advantage in competitive athletics.

Once a principal determines eligibility regarding a transgender or gender nonconforming student, the principal shall forward that determination, along with the appropriate evidentiary documentation to the athletic director.

The athletic director will be responsible for maintaining documentation associated with the determination in order to be able to respond to any UHSAA requests.