

TRANSGENDER, GENDER NON-CONFORMING AND TRANSITIONING STUDENTS

PURPOSE:

The North Kingstown School Committee is committed to providing a safe and tolerant setting for students of all genders and sexual orientations.

PHILOSOPHY:

The School Committee believes that all students are entitled to an equal and accepting educational environment irrespective of their gender identity. The Committee will strive to provide an educational setting in which students of all genders are assured equality and acceptance in all aspects of the North Kingstown School Department.

POLICY STATEMENT:

Educators, parents and other stakeholders in public education all have the obligation and duty to ensure that school is a safe and supportive learning environment for all students in order that they may progress academically and developmentally. In order to achieve this end, the North Kingstown School Department shall foster an educational environment that is safe and free from discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression.

Legal Authority –

Title IX of the Education Amendment of 1972, 20 U.S.C. § 1681 et. seq., is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. Specifically, Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and the Office of Civil Rights accepts such complaints for investigation.

The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (1974), (FERPA), is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Pursuant to FERPA, schools have a legal obligation to protect the privacy of transgender, gender non-conforming and transitioning students when maintaining education records.

The United States Department of Education and the Rhode Island Department of Education have issued guidance stating that school districts shall adhere to both Title IX and FERPA in order to protect transgender, gender non-conforming and transitioning students from discrimination and to protect their privacy.

Rhode Island General laws § 11-24-1 et. seq., entitles all persons within the jurisdiction of the state to the full and equal accommodations, advantages, facilities, and privileges of any place of public accommodation, resort or amusement, and prohibits discrimination based on gender identity or expression.

The Rhode Island General Assembly mandates that all school committees assure the implementation of federal and state laws, the regulations of the Board of Regents for elementary and secondary education, and of local school policies, programs and directives. It also mandates that school committees address the health and wellness of students.

The Rhode Island General Assembly requires superintendents of schools to implement policies established by school committees and to comply with provisions of federal and state law.

District's Adoption of Guidance –

The North Kingstown School Committee hereby adopts the U.S. Department of Education's Guidance on Transgender Students and the Rhode Island Department of Education's Guidance on Transgender and Gender Nonconforming Students.

District Protocol –

The Superintendent shall establish a district wide protocol facilitating the terms of this policy that is consistent with applicable federal and state law, rules and guidance from the U.S. Department of Education and Rhode Island Department of Education.

Evaluation and Review –

This policy shall be reviewed and updated on a regular basis, and shall be automatically revised to conform to amendments and changes in applicable state and federal laws, rules and regulations.

First Read: 4-24-18

Second Read: 5-8-18

Adopted: 5-8-18