TRANSGENDER AND NONBINARY STUDENT RECORDS

Definitions

Transgender and nonbinary students may use different terms to describe their lives and experiences of gender. Terminology and language may differ and evolve based on region, language, race or ethnicity, age, culture, and many other factors. These terms often mean different things or refer to different experiences. District employees should use the terms that students use to describe themselves, and avoid terms that make these students uncomfortable.

The following definitions are not provided for the purpose of imposing labels, but rather to assist in understanding this policy and the obligations of district personnel. Students may or may not use these terms to describe themselves or their experiences.

“Gender Identity” is a person’s deeply held knowledge of their own gender, which can include being a man, woman, another gender, or no gender. Gender identity is an intimate part of a person's identity. One’s gender identity may or may not align with society’s expectations for sex assigned at birth (e.g., male, female, or intersex).

“Gender Expression” refers to one’s expression of gender, whether through hair styles, makeup, or personal fashion, which changes over the course of a lifetime.

“Transgender/Trans” is an adjective used to describe a person whose gender identity differs from the sex they were assigned at birth. A trans woman is a woman whose sex was assigned male when she was born. A trans man is a man whose sex was assigned female when he was born. Some transgender people are neither male nor female, and may use terms like nonbinary to describe their gender.

“Cisgender” is an adjective describing a person whose gender identity corresponds with the gender that society typically associated with the sex they were assigned at birth. For example, a cisgender woman's sex was assigned female at birth, and she identifies her gender as female. As another example, a cisgender man's sex was assigned male at birth, and he identifies his gender as male.

“Gender Nonconforming” is a term sometimes used to describe people whose gender expression differs from social expectations, such as “feminine boys,” “masculine girls,” and people who are perceived as androgynous in some way. Being gender nonconforming is distinct from being transgender, although some trans people may consider themselves to be gender nonconforming. For example, a cisgender woman who has short hair and likes sports might consider herself nonconforming, but may not identify as transgender.

“Nonbinary” is a term used to refer to people whose gender identity is not exclusively male or female, including those who identify with a different gender, a combination of genders, or
no gender. Nonbinary may be considered a subset of transgender or a distinct identity. Other similar or more specific terms may include genderqueer, gender fluid, agender, or Two-Spirit (for Native American students).

“Sexual Orientation” refers to a person’s romantic and/or sexual attraction to other people. This includes being straight, gay, bisexual, queer, asexual, or many other terms used to describe sexual orientation. This is different and distinct from gender identity.

“Transition” is the process through which a person begins to live according to their gender identity. This process is different for everyone, and it may or may not involve specific medical treatments or changes to official documents. There is no single step or set of steps that an individual must take in order to have their gender identity affirmed and respected.

“LGBTQ+” is an acronym that stands for lesbian, gay, bisexual, transgender, and questioning (or queer). The acronym sometimes includes an “I” for intersex, an “A” for asexual, a “P” for pansexual, and other letters. A “+” is sometimes placed at the end of the acronym to signal that there are additional letters/identities that fall under a similar umbrella.

“QTBIPOC” is an acronym that stands for queer/trans, black, indigenous, and people of color.

Privacy and Confidentiality

The district will ensure that all personally identifiable and medical information relating to transgender and nonbinary students is kept confidential in accordance with applicable state, local, and federal privacy laws. District employees and staff shall not disclose any information that may reveal a student’s gender identity to others, unless the student, parent, or legal guardian has authorized such disclosure, or there is another compelling need.

Prior to disclosing any such information about a transgender or nonbinary student, district employees will work with the student and any parent or legal guardian to discuss the appropriate manner, time, and message of the disclosure. This will include providing the student with appropriate support services they may need to make the disclosure in a safe and supportive environment.

Transgender and nonbinary students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much private information to share. The fact that a student chooses to use a different name, to transition at school, or to disclose their gender identity to staff, educators, or other students does not authorize district employees to disclose a student’s personally identifiable or medical information to anyone.

Use of Preferred Name, Pronoun, or Gender

All students have the right to be addressed by a name, pronouns, and other terms that correspond with their gender identity. This respect should not depend on whether a student has access to a legal name change or gender marker change on official documents. The district and its employees should always use the pronouns and name with which a student identifies or requests. The district and its employees are expected to respect and use a student’s name and pronouns, once they have been made aware of said student’s correct information.
Student Records

The district shall maintain an official, permanent record with the legal name and gender appearing on the student's birth certificate. On all other school-related records or documents, however, at the request of or with the consent of the student's parent/legal guardian as appropriate (unless the student is over 18), the district will use a student's requested name and gender pronouns. This would include physical records and documents, diplomas and other certificates of advancement, electronic records and documents, and school IDs. Reasonable efforts will be made to update student records with the student's requested name and gender pronoun or gender marker, and not to circulate records with the student's assigned birth name or gender marker. The district will also make reasonable efforts to also identify routine areas where a student's privacy could be violated by the improper usage of the legal name and gender marker. These include but are not limited to pre-printed labels, standardized tests, student IDs or library cards, school photos, notices from the main office, attendance slips, grade books, posted lists of student names, lesson plans, seating charts and roll sheets used by substitute teachers, and any other places where students' names are commonly written.

In order to protect a student’s privacy, and to prevent accidental disclosure of a student’s status, the district will maintain the official, permanent record in a secure location, separate from the student's other records. If the official record is maintained electronically, similar security measures shall be implemented to protect student privacy.

In the event that a student identifies as transgender or nonbinary, but is unable to obtain consent from a parent or legal guardian, a school administrator will meet with the student to discuss how the student would like to be addressed at school and implement an appropriate plan to ensure that the student's privacy is protected.

When a student or parent/legal guardian presents the district with documentation of a court-ordered legal name and/or gender change, the district will then change the official, permanent pupil record, to reflect the student's new legal name and gender, in a timely manner.

Transgender and nonbinary students who transition after having graduated or transferred out of the district may request that the district amend school records, a diploma, or transcripts that include the student's birth name and gender. When requested, the district will amend the student's records, including reissuing a high school diploma or transcript, to reflect the student's current name and gender.

Contact Information

Any student who has experienced gender-based harassment, discrimination, bullying, or similar misconduct, or has additional questions regarding the information contained in this policy should contact:

**Director of Athletic**
**Title IX Coordinator**
**Muskogee Public Schools Education Service Center**
**202 West Broadway**

**Assistant Superintendent**
**Bullying Coordinator**
**Muskogee Public Schools Education Service Center**
**202 West Broadway**
Outside Assistance may be obtained from:

U.S. Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
(816) 268-0550
(816) 268-0599 (Fax)
(877) 521-2172 (TTY)
E-mail: OCR.KansasCity@ed.gov