

ATHERTON HIGH SCHOOL

SCHOOL-BASED DECISION MAKING COUNCIL POLICY

Policy Number: 500
Policy Subject: School Space

Policy Statement

The principal will have the responsibility of assigning school space during the school day based on the following criteria: Class size, program need, accessibility for students, appropriate supervision of students, safety, close proximity of instructional teaching teams, and/or overall effective school management.

Guidelines on Accessibility for Students

Atherton shall not discriminate on the use of school space as the basis of gender identity nor gender expression. The school shall accept the gender identity that each student asserts. There is no medical or mental health diagnosis or treatment threshold that students must meet in order to have their gender identity recognized and respected. The assertion may be evidenced by an expressed desire to be consistently recognized by their gender identity. Students ready to socially transition may initiate a process with the school administration to change their name, pronoun, attire, and access to preferred activities and facilities. Each student has a unique process for transitioning. The school shall customize support to optimize each student's integration.

Authority

On April 29, 2014, the United States Department of Education Office of Civil Rights released a "significant guidance document" regarding schools "complying with their legal obligations", under Title IX of the Education Amendments of 1972, stating "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." Accordingly, Atherton will ensure protection, respectful treatment, and equal access to educational programs and activities for transgender students. The implementation of this policy will reflect the reality that transgender and gender nonconforming students are enrolled in schools.

Definitions - The following definitions are not meant to label, but are intended as functional descriptors:

- **Gender:** a person's actual sex or perceived sex, and includes a person's perceived identity, appearance, or behavior, whether or not that identity, appearance or behavior is different from that traditionally associated with a person's sex at birth.
- **Gender Identity:** a person's internal, deeply rooted identification as female, male or a non-binary understanding of gender, regardless of one's assigned sex at birth. The responsibility for determining an individual's gender identity rests with the individual.
- **Gender Expression:** A person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. Students who adopt a presentation that varies from the stereotypic gender expectations sometimes may describe themselves as gender nonconforming, gender queer, or gender fluid.

- Gender Nonconforming: Displaying a gender identity or expression that may differ from those typically associated with one's sex assigned at birth. A person's gender expression may differ from stereotypical expectations about how females and males are "supposed to" look or act. Gender nonconforming is not synonymous with transgender; not all gender nonconforming students identify as transgender.
- Transgender: A person whose gender identity differs from their gender assigned at birth, and whose gender expression consistently varies from stereotypical expectations and norms. A transgender person desires to live persistently by a gender that differs from that which was assigned at birth.
- Transition: Each transgender person has a unique process in which they go from living and identifying as one gender to living and identifying as another. Gender transition can occur at any age. It begins internally then expands to external expression. This can include social, medical and/or a legal transition.
- Sex: The biological condition or quality of being female or male.
- Sexual Orientation: A person's emotional and sexual attraction to another person based on the gender of the other person. Common terms used to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, and bisexual. Sexual orientation and gender identity are different.

Locker Room Accessibility

- Atherton will maintain separate locker room facilities for male and female students.
- Students, upon prior approval and parameters set by the administration, shall have access to the locker room facility that corresponds to their gender identity asserted at school.
- If there is a request for increased privacy, *any* student shall be provided access to a reasonable accommodation such as:
 - Use of a private area within the public area of the locker room facility (e.g. nearby restroom stall with a door or an area separated by a curtain).
 - Use of a nearby private area (e.g. nearby restroom).
 - A separate changing schedule.

Restroom Accessibility

- Atherton will maintain separate restroom facilities for male and female students.
- Students, upon prior approval and parameters set by the administration, shall have access to restrooms that correspond to their gender identity asserted at school.
- If a student desires increased privacy, regardless of the underlying reason, the administrator shall make every effort to provide the student with reasonable access to an alternative restroom such as a single-stall restroom.
- The use of a restroom should be determined by the student's choice in accordance with their gender identity; no student shall be compelled to use an alternative restroom.

First Reading: June 3, 2014

Second Reading: June 5, 2014

Council Reviewed Without Revision: October 16, 2014; October 15, 2015

Signature: _____
 (SBDM Council Chairperson)