

NONDISCRIMINATION AND EQUAL OPPORTUNITY
Board of Education
Wrightstown Community School District

The Wrightstown Community School District does not discriminate in the employment of staff, in the educational program or activity that it operates for students, or in the treatment of students, staff, or families on the basis of the Protected Classes of race, color, national origin, age, sex (including transgender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer, students, or families about religious matters or political matters, or any other characteristic protected by law in its employment or instructional practices.

The Board prohibits sexual harassment that may occur within its education programs and activities. When the District has knowledge of sexual harassment in its education program or activities, it will promptly respond. Pursuant to Title IX responsibilities, the Board is committed to eliminating sexual harassment and will take appropriate action when an individual is determined to be in violation of this policy. The Board will provide persons who have experienced sexual harassment ongoing supportive measures as reasonably necessary to restore or preserve access to the District's educational programs and activities.

Nondiscrimination Guidelines Related to Students Who are Transgender and Students Nonconforming to Gender Role Stereotypes

These guidelines serve two important purposes: (a) to facilitate compliance with the District's legal obligations regarding the legal rights and protections afforded an individual who is transgender or gender non-conforming (including gender identity and gender expression), and (b) to further the District's goals concerning the creation and maintenance of positive and supportive environments that appropriately provide for the education, safety and welfare of all students.

While the guidelines established in this rule provide important direction to District employees, students, school families and other persons, the guidelines do not anticipate every situation that might occur with respect to students who are transgender or gender non-conforming (including gender identity and gender expression). When an issue or concern arises that is not adequately addressed by these guidelines, the needs and concerns of each student should be assessed on an individualized basis.

I. DEFINITIONS

The definitions below are not intended to label students but rather to assist in understanding these guidelines and the expectations of staff in complying with District policies and legal requirements. Students might or might not use these terms to describe themselves.

- A. Transgender. Transgender describes people whose gender identity is different than their biological sex assigned at birth.
- B. Gender identity. Gender identity is a person's deeply held sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth. Everyone has a gender identity.
- C. Gender non-conforming. Gender non-conforming describes people whose gender expression differs from stereotypical or prevailing social expectations, such as "feminine" boys or "masculine" girls, or those who perceived as androgynous.
- D. Gender expression. Gender expression refers to the way a person expresses gender, such as clothing, hairstyles, activities or mannerisms.

II. DISCRIMINATION, HARASSMENT AND BULLYING

The District prohibits all forms of unlawful discrimination against any transgender student or any student who does not conform to gender role stereotypes (including gender identity and gender expression). Further, existing District policies that prohibit the harassment and bullying of students apply in full force to any such actions that are based on a student's actual or perceived transgender status or gender non-conformity (including gender identity and gender expression). This includes ensuring that any incident or complaint of discrimination, harassment or bullying is given prompt attention, including taking appropriate corrective and/or disciplinary action. Complaints alleging discrimination, harassment or bullying based on a person's actual or perceived transgender status or gender non-conformity (including gender identity and gender expression) are to be handled in the same manner as other discrimination, harassment and bullying complaints.

III. STUDENT PRIVACY, NAMES AND PRONOUNS, AND OFFICIAL SCHOOL RECORDS

Unless otherwise permitted, certain records and personally identifiable information related to the student's gender status or biological sex are

protected not only as an education record, but also as a confidential medical or patient health care record. The District further recognizes that a student may have a strong individual interest in maintaining the privacy of his/her transgender status or his/her gender non-conforming presentation (including gender identity and gender expression) at school.

Accordingly, in addition to adhering to all legal standards of confidentiality, school personnel with knowledge of any student's transgender status or gender non-conforming presentation (including gender identity and gender expression) are expected to treat that information as being particularly sensitive, even internally among school staff and school officials. District employees are expected to refer any questions they may have about student privacy and possible disclosures of a student's transgender or gender non-conformation status (including gender identity and gender expression) to the Building Principal or the Director of Pupil Services.

When referring to students at school and in connection with school activities, school personnel will normally use the student's legal name and the pronouns that correspond to the student's biological sex assigned at birth. To the extent applicable to all students, a student may request to use and be referred to by an alternate name or nickname in school settings. Where there is any disagreement between a student and his/her parent or guardian, the final decision will be made by the parent or guardian, if the student is a minor; and by the student, if the student is an adult.

The District's approach of respecting a student's decision to regularly use a name and the pronouns that correspond to the student's gender identity is not a commitment to change existing school records in order to reflect those preferences. There may be situations where the District is required to use or report legal name or biological sex of the student as that data is reflected in the District's official records.

The District strongly encourages transgender and gender non-conforming (including gender identity and gender expression) students and their families to maintain ongoing communication with the school employees who are working directly with the student in order to address, among other issues, relevant privacy concerns and privacy preferences.

IV. RESTROOM AND LOCKER ROOM ACCESSIBILITY

The guidelines related to restrooms and changing areas generally assume that a student has a special concern or is in some way uncomfortable with consistently using the facilities that correspond to the biological sex that the student was assigned at birth. However, all students have the option of consistently accessing the facilities that correspond to the biological sex that the student was assigned at birth.

A. Restroom Accessibility

1. All students, regardless of status, who have a need or desire for increased privacy, regardless of the underlying reason, may be provided with access to a single-access restroom where such a facility is reasonably available, but no student shall be required to use such a restroom because of the student's transgender or gender non-conforming status (including gender identity and gender expression).
2. Generally, a student who is transgender and has held the belief deeply, followed the belief consistently over a period of time, is supported by the student's parent or guardian, and for which the student has sought guidance or counseling in coming to the decision, will be permitted to access the segregated restrooms that correspond to the gender identity that the student consistently asserts at school and elsewhere.

B. Locker Room Accessibility

1. All students, regardless of status, who have a need or desire for increased privacy, regardless of the underlying reason, may be provided (to the extent reasonably available) with a reasonable alternative changing area (for example, a nearby restroom stall with a door, and area separated by a curtain, a physical education teacher's office in the locker room, or a nearby single-access restroom) or provided with an alternative changing schedule. Any alternative arrangement should be provided in a way that gives adequate consideration to relevant privacy concerns.
2. If a transgender student makes any request regarding the use of locker rooms or any similar type of changing area, the request shall be assessed on a case-by-case basis with the goals of: (a) ensuring adequate student privacy and safety; (b) facilitating the transgender student's access to the District's physical education curriculum and other relevant programs; and (c) minimizing stigmatization of the transgender student. The physical layout of

the facility and the degree of undress required when changing for the applicable activity are examples of factors that will be considered in making the arrangements. There is no absolute rule that, in all cases, will require a transgender student to access and use only the locker rooms and other changing areas that correspond to the biological sex that the student was assigned at birth.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers:"

Dan Storch Business Manager Title IX Coordinator (920) 532-5551 x3200 Wrightstown Community School District 351 High Street Wrightstown, WI 54180 storch@wrightstown.k12.wi.us	Caroline Mihalski Director of Student Services (920) 532-5551 x5001 Wrightstown Community School District 351 High Street Wrightstown, WI 54180 mihalski@wrighstown.k12.wi.us
---	---

The names, titles, and contact information of these individuals will be published annually on the School District's website.

The Compliance Officers are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The Compliance Officers shall also verify that proper notice of nondiscrimination has been provided for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public.

Approved: 11/18/2020

Reviewed:

Revised: 11/17/2021

Legal References:

Wisconsin Statutes: 111.31 et seq., Wis. Stats.; 111.335(d)(2), Wis. Stats.; 118.195, Wis. Stats.; 118.20, Wis. Stats.; Fourteenth Amendment, U.S. Constitution; 20 U.S.C. Section 1681, Title IX of Education Amendment Act; 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974; 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act; 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975; 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended; 34 C.F.R. Part 110 (7/27/93); 42 U.S.C. 2000e et seq., Civil Rights Act of 1964; 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act; 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended; 29 C.F.R. Part 1635