

Non-Discrimination on the Basis of Gender Identity

Springfield Public Schools has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination on the basis of gender identity, sex, sexual orientation, homosexuality, transgender status or gender expression is not tolerated and where any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

Springfield Public Schools strictly enforces a prohibition against unlawful harassment and discrimination, including discrimination on the basis of gender identity, sex, sexual orientation, homosexuality, transgender status or gender expression, of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of Springfield Public Schools and its commitment to equal opportunity in education and employment. Springfield Public Schools does not and will not discriminate on the basis of gender identity, sex, sexual orientation, homosexuality, transgender status or gender expression in its educational programs and activities and employment, and strives to create an environment where all students and staff feel safe, welcome and included.

Springfield Public Schools takes allegations of discrimination and harassment based on gender identity seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, Springfield Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline. The provisions of the Springfield Public Schools Non-Discrimination, Including Harassment and Retaliation Policy; Bullying Policy; Bullying Prevention, Intervention Implementation Plan; Nondiscrimination; Nondiscrimination on the Basis of Sex; Instructional Materials; Open Hiring/Equal Opportunity and Affirmative Action and Equal Educational Opportunities policies are incorporated as if fully set forth herein.

Students

To help create a safe and supportive environment for all students, Springfield Public Schools will, consistent with applicable laws and guidance, take the following steps:

Names/Pronouns

A student has the right to choose a name and pronoun appropriate to the student's gender identity, regardless of the student's assigned birth sex and name that appears on the student's birth certificate. Schools should accurately record and use the student's chosen name and pronouns that are consistent with the student's gender identity. Court orders are not required to update student records to reflect changes in a student's name and gender markers. Schools will work with a student and the parents/guardians of the student if they are involved in the process, or in the case of a younger student (typically an elementary student (a "Younger Student") with the Younger Student and the Younger Student's parents/guardians, to develop a plan for communicating any name and pronoun change within the school.

Transitions

When a student transitions and there is a request by the student or the students' parents/guardians, the school shall hold a meeting with the student and the parents/guardians of the student if they are involved in the process, or in the case of a Younger Student with the Younger Student and the Younger Student's parents/guardians, to develop a transition plan to provide a safe and supportive educational environment for the student and to address any concerns that may arise.

Privacy, Confidentiality and Student Records

Records with a student's assigned birth name and sex, name change for gender identity purposes, gender transition, medical information related to gender identity or other information of a similar nature, if such records exist, must be maintained in a separate, confidential file with the school's principal. The school district shall ensure that all information relation to a student's gender identity shall be kept confidential in accordance with applicable, federal, state and local privacy laws and regulations.¹ Information that may reveal a student's gender identity to others will not be disclosed unless the school is legally required to do so, or unless the disclosure has been authorized by the student, or in the case of a Younger Student, by the Younger Student's parents/guardians. Schools will consult with a student and the parents/guardians of the student if they are involved in the process, or in the case of a Younger Student with the Younger Student and the Younger Student's parents/guardians, when determining whether any such information should be disclosed, and if so, how much information should be disclosed and to whom.

Accessibility to Restrooms, Locker Rooms and Changing Facilities

A student may access the restrooms, locker rooms and changing facility that corresponds to the student's gender identity. Upon a student's request, any student who is uncomfortable using a shared facility, regardless of the reason, shall be provided with a safe and non-stigmatizing alternative. Based upon availability and the appropriateness to address privacy concerns, accommodations that may be offered to a student who desires increased privacy may include, but are not limited, to: (a) use of a nearby private area (such as a gender neutral restroom, gender neutral changing room, nurse's restroom, or a nurse's office); (b) a separate changing schedule, or (c) use of private area within a public area (such as, an area separated by a curtain or a bathroom or changing stall with a door). Schools will consult with a student and the parents/guardians of the student if they are involved in the process, or in the case of a Younger Student with the Younger Student's parents/guardians, to ensure accessibility and address any concerns that may arise.

¹ When a student transfers to another school, the student's confidential file containing documentation relating to the student's gender identity will be transferred to the student's new school within the district.

Physical Education Classes and Athletic Activities

In those instances where school district conducts gender-segregated classes or activities, as opposed to co-educational classes and activities, a student must be allowed to participate in a manner consistent with the student's gender identity.

Dress Codes

A student must be permitted to dress in compliance with the school district's dress code in a manner consistent with the student's gender identity.

Other Gender-Based Activities, Rules and Practices

Schools should review and evaluate any gender-based activities, rules and practices currently being utilized, and replace such gender-based activities, rules and practices with non-gendered alternatives. If there is a clear and sound pedagogical purpose to retain a gender-based activity, rule or practice, a student must be allowed to participate in the activity, rule or practice in a manner consistent with their gender identity.

Education and Training

The school district shall incorporate education and training about transgender and gender nonconforming students into its anti-bullying and non-discrimination curriculum, student leadership training and staff professional development in order to promote a safe and supportive environment for all students and staff.

Employees

To help create a safe and supportive environment for staff, Springfield Public Schools will, consistent with applicable laws and guidance, take the following steps:

Names/Pronouns

A staff member has the right to choose a name and pronoun appropriate to the person's gender identity, regardless of the person's assigned birth sex that appears on the person's birth certificate. A staff member's personnel file should accurately reflect changes in an employee's name and gender markers.

Accessibility to Restrooms

A staff member may access the restroom or changing room that corresponds to the person's gender identity. Upon an employee's request, any employee who is uncomfortable using a shared facility, regardless of the reason, shall be provided with a safe and non-stigmatizing alternative.

Adopted: October 1, 2020