

Gender Identity Equity Guidelines

The district prohibits discrimination on the basis of gender identity. This document sets out guidelines for schools and district staff to address the needs of transgender and gender expansive students and clarifies how to protect the legal rights and safety of such students. This document does not anticipate every situation that might occur with respect to transgender or gender expansive students, and the needs of each transgender or gender expansive student must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of transgender or gender expansive students while maximizing the student's social integration and minimizing stigmatization and harassment of students.

Definitions

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

These terms are ever-changing and evolving with society and the community they represent. It is highly encouraged to educate oneself on these issues further to the level that is necessitated by the situation and student needs.

Sex – Assignment given at birth based on external anatomy.

Gender – The complex relationship between physical traits and one's internal sense of self, typically used with reference to social and cultural differences rather than biological ones.

Gender Identity – A person's deeply held sense or psychological knowledge of their own gender, regardless of the gender or sex they were assigned at birth.

Gender Expression – The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, and/or mannerisms.

Gender Expansive – An umbrella term sometimes used to describe children and youth that expand notions of gender expression and identity beyond what is perceived as the expected gender norms for their society or context. Some gender-expansive individuals identify with being either a boy or a girl, some identify as neither, and others identify as a mix of both.

Transgender – Sometimes this term is used broadly as an umbrella term to describe anyone whose gender identity differs from their assigned birth sex. It is also used more narrowly as a gender identity that reflects a binary gender identity that is "opposite" or "across from" the sex they were assigned at birth.

Transition(ing) – The process in which a person goes from living and/or identifying as one gender to living and/or identifying as another. This may or may not include gender reassignment surgery and/or hormone therapy. This can include but is not limited to; change of name, pronouns, clothing, gender expression, etc.

Non-binary gender identity – Individuals who do not identify strictly as a male or female, they could identify as both or neither.

Gender Fluid – Individuals who do not identify as a consistent gender.

Privacy

Information about a student's transgender or gender expansive identity status will be considered confidential information that will only be shared with school personnel on a need-to-know basis. Information about a student's transgender identity status also may constitute confidential medical information. School personnel may not disclose information that may reveal a student's transgender identity status or gender expansive presentation to others unless legally required to do so or unless the student or the parent or the guardian has authorized such disclosure. The district will not require the student to discuss their identity status with any others.

The student and their family may wish to identify a small group or circle of teachers, staff and other students who are aware of the student's transgender or gender expansive status and are trusted allies for the student. This is a group of individuals who when the student has a situation they need to talk about, they can go to them in confidentiality. For transgender or gender expansive students, having this small group of individuals identified can relieve much of the stress and anxiety of being at school.

Official Records

The district will change a transgender student's official record to reflect a change in name upon receipt of documentation (such as official name changes or written request from parent). The district will change a student's official record to reflect a change in gender upon receipt of documentation from the parent or guardian that such change has been made. In situations where school staff or administrators are required by law to use or to report a transgender or gender expansive student's legal name or gender, such as for purposes of state reporting or the Nebraska School Activities Association (NSAA), school staff and administrators shall report the legal name or gender. School staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information.

Within the school, parents should work with the staff they feel most comfortable with regarding the sharing of this information. It may be an administrator, counselor, teacher or other school personnel. If the family wishes to keep this information as confidential as possible, they may be directed to the Coordinator of Student Information Services (SIS). SIS will complete all of the necessary paperwork and records changes.

Alternatively, the family may choose to work through school personnel to provide the needed information. All documentation should be sent to the Coordinator of SIS.

Names/Pronouns

Students shall be addressed by a name and pronoun that corresponds to their gender identity, as requested by the student, parent or guardian. Neither a court-ordered name or gender change, nor a change in official student records, is required. The student has authority over how they are to be addressed in the school environment.

All employees should respect names and pronouns. Any employee or student who intentionally or persistently refuses to respect the gender identity of a student after notification of the preferred pronoun/name used by the student is in violation of this guideline.

Gender-Segregated Activities

To the extent possible, schools should reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, such as health education classes or royalty, students will be included in the group that corresponds to the student's gender identity.



Restroom Accessibility

Students shall have access to the restroom that corresponds to the students' gender identity consistently asserted in the school environment. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom (including those located in nurse's or office areas).

However, requiring a transgender or gender expansive student to use a separate space threatens to publicly identify and stigmatize the student as transgender and should not be done unless requested by a student. Under no circumstances may students be required to use gender-segregated facilities that are inconsistent with their gender identity.

Locker Room Accessibility

The use of locker rooms by transgender students shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports, ensuring the student's safety and comfort, and minimizing stigmatization of the student. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to the student's gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student's ability to keep his or her transgender status confidential. In no case shall a transgender student be required to use a locker room that conflicts with the student's gender identity.

Physical Education Classes and Intramural Sports

Transgender and gender expansive students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with the student's gender identity.

Interscholastic Competitive Sports Teams

Athletics and activities at the high school level are governed by the Nebraska School Activities Association (NSAA). The NSAA has developed a gender policy to address the eligibility and participation of students in NSAA-sponsored athletics based upon gender. Transgender and gender expansive students shall be permitted to participate in interscholastic athletics in a manner consistent with the student's gender identity, to the extent allowed by Interscholastic rules and regulations.

Excerpt from the NSAA gender policy:

C. Gender Based Participation:

1. **Gender Eligibility:** A student's gender for purposes of eligibility for NSAA-sponsored athletic activities shall be determined by the sex noted on the student's birth certificate.
2. **Cross-Gender Participation:** Girls may participate on boys' teams when there is no girls sport or comparable sport (e.g., softball and baseball) or team offered in that sport by the member schools. Boys are not allowed to play girls sports or on girls' teams even when there is no corresponding boys sport.

D. Transgender Student Participation: The NSAA Gender Participation Policy only addresses bona fide transgender students and does not alter the foregoing cross-gender participation rule.

For more specific information regarding the gender policy and participation in high school athletics and activities please visit the following site: <https://nsaahome.org/equity-inclusion-information/>

Dress Codes

Transgender and gender expansive students shall be permitted to dress in a manner consistent with the student's gender identity or gender expression. Where dress code requirements do not apply to all students, transgender and gender expansive students should comply with the dress code requirements consistent with the student's gender identity.

Professional Development

Omaha Public Schools shall provide training to all certified district-level and school-based administrators regarding the district's obligations to prevent and address gender-based discrimination as well as implementation of the policies, procedures, and regulations, and best practices for creating a nondiscriminatory school environment for transgender students. Site administrators shall, throughout each school year, provide this information to all faculty and staff during existing trainings, meetings, and other appropriate opportunities.

Bullying Prevention and Sexual Harassment Programs

The district will provide age-appropriate instruction to all students on gender-based discrimination and will provide examples of prohibited conduct, including harassment, in various school-related contexts, including the types of conduct prohibited with respect to sex-specific facilities and elsewhere at school as part of its bullying prevention and sexual harassment programs.

Internal Resources

OPS School Counseling
Office: 531.299.0227

OPS Equity and Diversity
Title IX Administrator
Office: 531.299.0307 Email:
equityanddiversity@ops.org.

OPS Student Information Services
Office: 531.299.0237 Email: sis@ops.org

OPS Athletics
Office: 531.299.9499

OPS Social Work
Office: 531.299.9397

External Resources

The following organizations offer support to transgender individuals and their families*:

- [PFLAG](#) – provides support for families, allies and people who are LGBTQIA+, education for ourselves and others about the unique issues and challenges facing people who are LGBTQIA+, and advocacy in our communities to change attitudes and create policies and laws that achieve full equality for people who are LGBTQIA+

Phone: 402.291.6781 Email: info@pflag-omaha.org Web Site: www.pflag-omaha.org

- [GLSEN Omaha](#) – Championing LGBTQ issues in K-12 education since 1990. Our mission is to create safe and affirming schools for all, regardless of sexual orientation, gender identity, or gender expression. Email: omaha@chapters.glsen.org

- [Gender Spectrum](#) – create a gender-inclusive world for all children and youth. To accomplish this, we help families, organizations, and institutions increase understandings of gender and consider the implications that evolving views have for each of us.

- [Trans Youth Equality Foundation](#) – provides education, advocacy and support for transgender and gender non-conforming children and youth and their families.

- [Families in TRANSition](#) – A Resource Guide for Parents of Trans Youth

**Omaha Public Schools does not endorse, nor have influence over any of the external resources listed above.*