

POLICY-JBD

Related Entries: AC, AC-R, IHB, JICK, JICKA, JB, JBA, JBB, IA, IGA, IHBE, JBC
Responsible Office: Superintendent

Gender Inclusive Schools

I. PURPOSE

The purpose of Policy JBD is twofold. First, to assert the Board's commitment and responsibility to foster an educational environment that is free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression. Second, to ensure that student's physical and psychological safety is a priority and that that support safety, wellbeing, and success regardless of sex, sexual orientation, gender identity or gender expression are in place.

II. BACKGROUND

The Las Cruces Public Schools Board of Education recognizes the importance of an inclusive approach toward transgender and gender-expansive students regarding key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room accessibility, sports and physical education, dress codes and other school activities, to provide these students with an equitable opportunity for learning and achievement.

Under federal Title IX law, all students, regardless of gender and sexual identification are to be protected from discrimination and harassment. Department of Education guidance has reminded schools of their obligation to implement policies that prevent the bullying and harassment of transgender students. The Board acknowledges that students who identify as TGNB or LGBTQ or TGNC experience suicide, depression, anxiety, isolation, and bullying at higher rates than their peers which may have a negative impact on their access to educational opportunities.

New Mexico law also protects individuals from discrimination based on gender identity in areas including employment and public accommodations. Lastly, the Las Cruces Public Schools Board of Education policy prohibits discrimination on the basis of sex and gender identity.

III. DEFINITIONS

For the purposes of this policy, the following definitions are provided not for the purpose of labeling students but rather to assist in understanding this policy and the legal obligations of school and district personnel. Students may or may not use these terms to describe themselves or their experiences.

1. Cisgender: A term used to describe a person whose gender identity aligns with those typically associated with the sex assigned to them at birth.
2. Dead name: A term used to describe the name assigned to an individual's birth name that is no longer being used. May also be referred to as birth name.
3. Gender binary: A system in which gender is constructed into two strict categories of male or female. Gender identity is expected to align with the sex assigned at birth and gender expressions and roles fit traditional expectations.
4. Gender expression: External appearance of one's gender identity, usually expressed through behavior, clothing, body characteristics or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
5. Gender identity: One's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.
6. Gender non-conforming: A broad term referring to people who do not behave in a way that conforms to the traditional expectations of their gender, or whose gender expression does not fit neatly into a category. While many also identify as transgender, not all gender non-conforming people do.
7. LGBTQ: An acronym for “lesbian, gay, bisexual, transgender and queer”.
8. Non-binary: An adjective describing a person who does not identify exclusively as a man or a woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do. Non-binary can also be used as an umbrella term encompassing identities such as agender, bigender, genderqueer or genderfluid.
9. Outing: Exposing someone's lesbian, gay, bisexual transgender, or gender non-binary identity to others without their permission.
10. Sex assigned at birth: The sex, male, female, or intersex, that a doctor or midwife uses to describe a child at birth based on their external anatomy.
11. TGNB: An acronym for “Transgender and gender non-binary,” often interchangeable with TGNC “Transgender and gender non-conforming” within literature.
12. Transgender: An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual

orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

IV. POSITION

1. The district, and each school, shall work to ensure all students, including those who identify as LGBTQ or TGNC, or TGNCB, have a safe and welcoming school environment. Schools will have systems and supports in place that ensure a positive and inclusive environment for all members of the community.
2. Prompt attention must be given to any actual or suspected incident of discrimination, harassment, or violence, including investigating the incident, taking appropriate corrective action, and providing students and staff with relevant resources.
3. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity shall be handled in the same manner as other discrimination or harassment complaints as outlined in Policy and Regulation AC; Policy and Regulation ACA; Policy and Regulation JICK.
4. This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers.
5. The District shall conduct training for all staff members on their responsibilities under applicable laws and this policy, including all instructional staff, administrators, behavioral health providers, and health staff. Information regarding this policy shall be incorporated into training for new school employees. To the extent funding is available, the District shall implement ongoing professional development to build the skills of all staff members to prevent, identify and respond to bullying, harassment and discrimination. The content of such professional development shall include, but not be limited to:
 - a. terms, concepts, and current developmental understandings of gender identity, gender expression, and gender diversity in children and adolescents;
 - b. developmentally appropriate strategies for communication with students and parents about issues related to gender identity and gender expression that protect student privacy;
 - c. developmentally appropriate strategies for preventing and intervening in bullying incidents, including cyberbullying;
 - d. classroom-management practices, curriculum, and resources that educators can integrate into their classrooms to help foster a more gender-inclusive environment for all students;

- e. school and District policies regarding bullying, harassment, discrimination, and suicide prevention and responsibilities of staff.
- 6. The Superintendent shall promulgate a regulation for the enforcement of this policy which includes key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room accessibility, sports and physical education, dress codes and other school activities, safe spaces, and other essential components.

V. REVIEW

This Policy will be reviewed on an ongoing basis in accordance with the Board of Education’s review process.

Approved, Board of Education, President

Date

Legal Reference:

History: New Policy, TBD

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