

**GUIDANCE TO SCHOOL DISTRICTS:
CREATING A SAFE AND SUPPORTIVE
SCHOOL ENVIRONMENT FOR
TRANSGENDER STUDENTS**

**PRESENTATION TO THE OREGON STATE BOARD
OF EDUCATION**

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TITLE IX

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

Title IX of the Education Amendments of 1972

Implementing Regulations at:

20 U.S.C. § 1681 & 34 C.F.R. Part 106

WHAT IS TITLE IX?

Title IX (passed in 1972) was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions.

Title IX benefits both males and females, and is at the heart of efforts to create gender equitable schools.

The law requires educational institutions to maintain policies, practices and programs that do not discriminate against anyone based on sex.

ORS 659.850

DISCRIMINATION IN EDUCATION PROHIBITED

“[a] person may not be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity or in any higher education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly.”

Discrimination means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race, color, marital status, religion, sex or sexual orientation.

THINK BACK TO A TIME WHEN YOU OR ONE OF YOUR CLASSMATES MIGHT HAVE BEEN TEASED FOR NOT FITTING IN.

How could an adult have made that situation different?

Would their actions have contributed to a safer environment for the students in your community?



SAFE AND SUPPORTIVE ENVIRONMENT

The development of a safe and supportive learning environment is a fundamental responsibility of any successful school.

As we encounter increasingly diverse populations of students, it is incumbent upon educational institutions to understand the characteristics of the complex communities we serve.

- **Colorado Rights Division, *Mathis v. Fountain Ft. Carson SD***

STUDENT IDENTITY

1. The person best situated to determine a student's gender identity is the individual student.



RECOMMENDED PRACTICES

It is recommended that school districts accept a student's assertion of his/her/their own gender identity.

A student who says she is a girl and wishes to be regarded that way throughout the school day should be respected and treated like any other girl.

So too with a student who says he is a boy and wishes to be regarded that way throughout the school day. Such a student should be respected and treated like any other boy.

1. Names and Pronouns

1. Management in School Documents and Records

2. Graduation: Transcripts and Diplomas

3. Gender-Based Activities, Rules, Policies, and Practices

4. Sports and PE

5. Safety and Harassment

6. Instruction and Student Support

7. Restroom and Locker Room Usage

QUESTIONS?

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