

# 501: SGA Gender Inclusion Policy

## 1. Definitions

1.1 “Sex assigned” means the sex designated at the time of birth and may also be thought of as the gender corresponding to the individual’s original physiology, or biological gender.

1.2 “Gender identity” means the individual’s internal sense of gender, and “identified gender” refers to the gender that matches this internal sense. Gender identity can be shown by information including but not limited to medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person's core identity, and not being asserted for an improper purpose.

1.3 “Gender expression” means the external cues or indications used to communicate gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

1.4 “Transgender” means that an individual’s assigned gender differs from the individual’s gender identity.

1.5 “Transitioning Student” refers to a student who is switching from one gender identity to another.

[Utah Code § 34A-5-102 \(1\)\(k\) \(2016\)](#)

## 2. Student Gender Inclusion

Students who transition can expect the support of St. George Academy (hereby referred to as “SGA” or “the LEA”). The Executive Director and the Dean of Students may work with each transitioning student to develop a Student Gender Support Plan to address the student’s particular circumstances and needs. Students may choose to have their parents participate in this process; however, parental participation is not required for a student to request an accommodation. When appropriate, school personnel should work closely with the student and parent in devising an appropriate plan regarding the confidentiality of the student’s transgender status. Parental involvement should be addressed on a case-by-case basis, and SGA must balance the goal of supporting the student with the requirement that parents be kept informed about their children. The paramount consideration in such situations should be the health and safety of the student, while also making sure that the student’s gender identity is affirmed in a manner that maintains privacy and confidentiality.

### 2.1 Student Records and References

2.1.1 The official records of the student shall reflect the student’s legal name and sex, which is the name and sex listed on the student’s birth certificate or as changed by court order. Under FERPA, an eligible student or parent may request that the student’s education record be amended to correct information that is misleading, inaccurate, or in violation of the student’s privacy rights.

[Utah Code § 26-2-11 \(1995\)](#)

[Utah Code § 42-1-1 \(1953\)](#)

2.1.2 A student may ask for accommodations regarding their unofficial records. Such requests may include changing a student's unofficial record to reflect the student's preferred name and/or gender identity such as in yearbooks, school emails, and on daily assignments; changing a student's unofficial record to reflect the student's preferred pronoun and identified gender; and/or addressing a student by the student's preferred name and preferred pronouns. Parental involvement should be addressed on a case-by-case basis. Students should be reminded that parents will have access to see preferred names and pronouns and parents may witness students being called by preferred names and pronouns if it is requested by the student that they are changed in unofficial records. SGA must balance the goal of supporting the student with the requirement that parents be kept informed about their children.

2.1.3 Faculty and staff are expected to respect the preferred name and preferred pronouns once accommodations are requested and have been processed in the unofficial records. It is understood that errors may be made during this process but will be corrected by faculty and staff when brought to their attention.

2.1.4 A student's transgender status shall not be disclosed without the student's consent except as expressly authorized by the Executive Director following such legal consultation when it is appropriate.

## 2.2 Student Facilities

In determining which gender-segregated school facilities (restrooms, changing rooms, etc.) are to be used by transgender students, administrators shall take into consideration the desires of the individual transgender student and of the student's parents as well as the privacy interests of other students. In addition to having the individual transgender student use the facilities corresponding with the gender identity, potential accommodations include use of single user restrooms or changing spaces or using facilities at a different time than other students. If the desired use by the individual transgender student is in significant conflict with privacy interests of other students, administrators may consult with appropriate legal counsel.

## 2.3 Student Classes and Activities

When classes or intramural activities are segregated by gender, transgender students are to be grouped according to the student's gender identity. Where students are grouped according to qualities, which may have some association with gender (such as vocal quality for singing groups), the pertinent quality shall be evaluated without regard to assigned gender or transgender status. Where school activities involve overnight travel, lodging arrangements for transgender students shall take into consideration the desires of the individual transgender student and of the student's parents as well as the privacy interests of other students. If the arrangement desired by the transgender student is in significant conflict with privacy interests of other students, the Executive Director may consult with appropriate legal counsel when necessary.

## 2.4. Student Dress Code

Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress codes adopted by the school. In regard to the dress code during graduation, students may request an accommodation to wear the graduation clothes consistent with their gender identity and expression. Students may make other requests for accommodation related to dress based on their gender identity and expression at any time.

## 2.5. Bullying, Cyberbullying, Harassment, and Hazing

2.5.1. Federal policy, section 504 prohibits bullying, cyberbullying and harassment regardless of the motivation for such misconduct, applies to prohibit bullying, cyberbullying, or harassment of students because of their transgender status or gender expression. When the parent of a transgender student is given the required notification of a bullying or harassment incident against a transgender student that is motivated by transgender status or gender expression, care should be taken to avoid disclosing the student's transgender status to the student's parents if the student has not consented to such disclosure.

2.5.2. When a student has been bullied, cyberbullied, or harassed because of the student's transgender status or gender expression, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.

## 3. Employee Gender Inclusion

Employees who transition while employed at the school can expect the school's support. The Executive Director and the Business Manager may work with each transitioning employee to develop a Workplace Transition Plan to address the employee's particular circumstances and needs.

### 3.1 Employee Dress Code

Employee dress codes will avoid gender stereotypes and instead will require attire and grooming professionally appropriate to the work unit, address safety concerns, outline legal regulations, and promote employee visibility. Transgender and gender nonconforming employees have the right to comply with dress codes in a manner consistent with their gender identity or gender expression.

### 3.2 Employee Records and References

3.2.1 An employee's official records will be updated to reflect a change in name or gender upon request from the employee. Most records can be changed to reflect a person's preferred name without proof of a legal name change. However, a legal name change may be required before a person's name can be changed on certain types of records, like those relating to payroll and retirement accounts.

3.2.2 An employee has the right to be addressed by the name and pronouns corresponding to the employee's gender identity. The transitioning employee, the Business Manager, and the Executive Director may develop a plan for the employee's preferred name and pronouns to be communicated to coworkers and others in the academic community with a need to know. An employee's photographs and school related non-legal identification will be updated at the

transitioning employee's request, so the transitioning employee's gender identity and expression are represented accurately.

### 3.3. Sex Specific Employment Opportunities

In the highly unlikely event that the school creates sex-specific jobs or assignments, transgender employees will be classified and assigned in a manner consistent with their gender identity, not the sex assigned at birth.

### 3.4 Notice of Non-Discrimination:

In accordance with the Civil Rights Act of 1964 and the legal interpretation of other relevant laws including but not limited to court precedents, the school does not discriminate on the basis of race, color, national origin, sex, disability, gender identity, sexual orientation, religious affiliation, age, pregnancy, parental or marital status, in its programs and activities and provides equal access to all students. Non-discrimination applies to student admission, treatment, and access to all programs and facilities (including restrooms). Students, parents, guardians, or citizens who have concerns; inquiries; are requesting accommodations; or are alleging violations regarding the non-discrimination policies; including Title II, Title VI, Title IX, or other related SGA Policy are encouraged to contact administration.